

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.12.2018

CORAM:

THE HONOURABLE Dr. JUSTICE S.VIMALA

W.P.No.11613 of 2018

and

W.M.P.No.13602 of 2018

S.Raja Thekkan

...Petitioner

Versus

The Superintendent of Prisons,
Central Prison, Coimbatore,
Coimbatore -18

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the entire records pertaining to the orders passed by the respondent herein vide proceedings No.16352/Po 4/2015 dated 14.12.2015 with effect from 10.12.2015 and by another proceedings No.21361/G4/2015 dated 14.12.2015 with effect from 11.12.2015 and quash them as illegal, arbitrary, unreasonable being violative of rules and principles of natural justice and thereby, direct the respondent herein to reinstate the petitioner into service with all monetary service and attendant benefits.

For Petitioner : Mr.A.R.Suresh

For Respondent : Mr.A.N.Thambidurai,
Additional Government Pleader.

ORDER

The petitioner has been placed under suspension by proceedings dated 14.12.2015, but, with effect from 11.12.2015. A charge memo had been issued under Rule 17(b) of the Tamil Nadu Civil Services (Disciplinary and Appeal) Rules. After getting explanation from the petitioner and not satisfied with same, an enquiry has been conducted. The Enquiry Officer has submitted his report dated 15.06.2016. Even though the enquiry has completed in the year 2016, no further orders have been passed. Representations are repeatedly submitted by the

petitioner, but no orders have been passed by the respondent. Hence, this writ petition. Seeking a direction to dispose of the representation within a stipulated time.

2. Heard the learned counsel on either side and perused the materials available on record.

3. In view of the limited relief sought for and as the enquiry is over, this Court is of the view that it is not necessary to dwell into the merits of the issue, but it would suffice to direct the respondent to revoke the order of suspension dated 14.12.2015 and pass orders on the same within a particular time frame.

4. In the above circumstances, the impugned suspension order is ordered to be revoked, and the respondents are directed to furnish a copy of the enquiry report to the petitioner and on receipt of explanation from the petitioner to pass appropriate orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above directions, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

klr

To

The Superintendent of Prisons,
Central Prison,
Coimbatore -18.

+1cc to M/S.A.R.Suresh, Advocate Sr.83074
+1cc to the Government Pleader Sr.83725

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srg 02/01/2019