

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :19.09.2018

CORAM

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P. No.24654 of 2018

P.Rajendran

..... Petitioner

Vs

1. The State of Tamil nadu represented by its Additional Chief secretary to Government, Home (Transport II) Department, Secretariat, Chennai 600 009.
2. The Commissioner for Disciplinary Proceedings, Coimbatore - 641 045
3. The Principal Secretary / Transport Commissioner, Chepauk, Chennai - 600 005.

..... Respondents

PRAYER Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the 1st respondent to pass final orders on the disciplinary proceedings against the petitioner pending with him in T.D.P.No.5 of 2014 in Roc No.305/2014/A2 dated 02.09.2014.

For Petitioner : Mr. A.Ganesan

For Respondents : Mr.D.Suriyanarayanan
Additional Government Pleader

ORDER

It appears that the petitioner in this case faced the disciplinary proceedings before the Commissioner for Disciplinary Proceedings, Coimbatore vide T.D.P.Case No.5 of 2014 in Roc No.305/2014/A2 dated 02.09.2014 along with 11 others owing to which, the enquiry was conducted and report was submitted by the 2nd respondent to the 1st respondent for further action. Even though, the said report was furnished as early as in the month of July 2017, but till date no final orders on the

same having been passed and therefore, the petitioner has come to this Court seeking for a writ of mandamus directing the 1st respondent to pass final orders on the disciplinary proceedings initiated.

2. The learned counsel appearing for the petitioner submits that though the enquiry report has been forwarded to the 1st respondent, but no decision on the same having been taken till date, moreso in view of the fact that the disciplinary proceedings against the delinquent are required to be concluded in an expeditious manner and therefore, the petitioner has come to this Court challenging such inaction on the part of the 1st respondent.

3. Mr.D.Suriyanarayanan, learned Additional Government Pleader appearing for the respondents would submit that no material has been produced indicating the fact that the disciplinary authority has submitted a report on conclusion of the enquiry and further submits that in the absence of the same, the writ petition filed by the petitioner is devoid of merit and liable to be dismissed.

4. Regard being had to the facts and circumstances of this case, especially the fact that the enquiry was concluded to which report has already been forwarded by the 2nd respondent to the 1st respondent, this Court directs the 1st respondent to take an informed and considered decision on the enquiry report adhering to the procedures prescribed and in accordance with law, within a period of eight weeks from the date of receipt of copy of this order. With the above observation, this writ petition stands disposed of. No costs.

5. With the above direction, this Writ Petition stands disposed of.

Sd/-

सत्यमेव जयते
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Additional Chief secretary to Government,
Home (Transport II) Department,
Secretariat, Chennai 600 009.

2. The Commissioner for Disciplinary Proceedings,
Coimbatore - 641 045

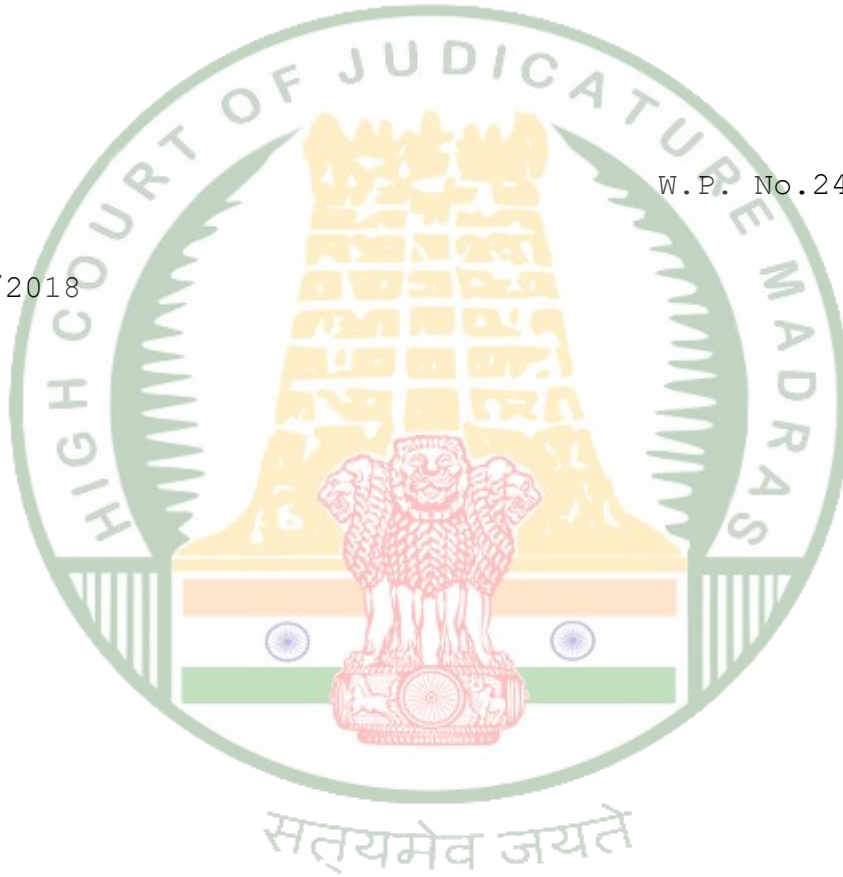
3. The Principal Secretary / Transport Commissioner,
Chepauk, Chennai - 600 005.

+lcc to Mr.C.Prakasam, Advocate Sr.64787

+lcc to the Government Pleader Sr.65512

W.P. No.24654 of 2018

srg 15/10/2018



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