

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2018

CORAM:

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P.No.13991 of 2018 in WMP No.16521 and 16522 of 2018

J.Thangajeya ... Petitioner

Vs

1. The Principal Secretary to Government,
Municipal Administration and Water Supply (WS-3) Department,
Fort Saint George,
Chennai - 600 009.

2. The Managing Director,
TWAD Board, Chennai 600 005. ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for the records of the respondents 1 and 2 in connection with the orders passed by them in G.O.(2D) No.41 Municipal Administration and Water Supply (WS-3) Department dated 30.05.2018 and G.O.(2D) No.42, Municipal Administration and Water Supply (WS.3) Department dated 31.05.2018 and B.P.No.Ms.40 TWAD Estt.(Per) Wing dated 31.05.2018 respectively and quash the same and direct the respondents to superannuate the petitioner from service and settle the retirement benefits of the petitioner within a reasonable time.

For Petitioner : Mr.K.Venkataramani

for Mr.Muthappan

For Respondents : Mrs.R.Janaki

Additional Government Pleader

for R1 and R2

ORDER

The grievance expressed by the petitioner is that though the petitioner had rendered 36 years of service, on his last date of retirement on 31.05.2018, he was placed under suspension and not allowed to retire from the service by the order of the respondents 1 and 2, with an allegation that he was indulged in some misconduct.

2. The learned counsel appearing for the petitioner submits that neither a charge Memo nor the Disciplinary proceedings has been initiated against the petitioner for initiation of disciplinary enquiry. However, the petitioner submits that whatever be the situation, if the petitioner is indulged in some misconduct, let the enquiry be conducted against the petitioner and conclude the process within a stipulated period of time, inasmuch as, the petitioner is a superannuated employee and the alleged misconduct relates to 18 years before the retirement and hence, prays for appropriate orders.

3. Heard the submissions of the learned counsel appearing for the petitioner, so also, perused the materials on record.

4. Though, the learned Additional Government pleader has accepted notice on behalf of respondents 1 to 3, no counter affidavit has been filed.

5. Considering such limited relief sought for by the petitioner, no useful purpose is going to be served by seeking a response/counter affidavit from the respondents. Therefore, taking into consideration of the facts and circumstances and also the submissions, this Court directs the respondents 1 and 2 to conclude the disciplinary proceedings, if already initiated as expeditiously as possible preferably within a period of six months from the date of receipt of copy of this order, in view of mandate of the Supreme Court that the disciplinary proceedings have to be disposed of expeditiously, so also, as per the Tamil Nadu State Executive Instructions, the disciplinary proceeding initiated for delinquency during the service shall be concluded six months prior to the date of superannuation.

6. With the aforesaid order, this writ petition stands disposed of. Consequently the connected miscellaneous petitions are also closed. No costs.

26.06.2018

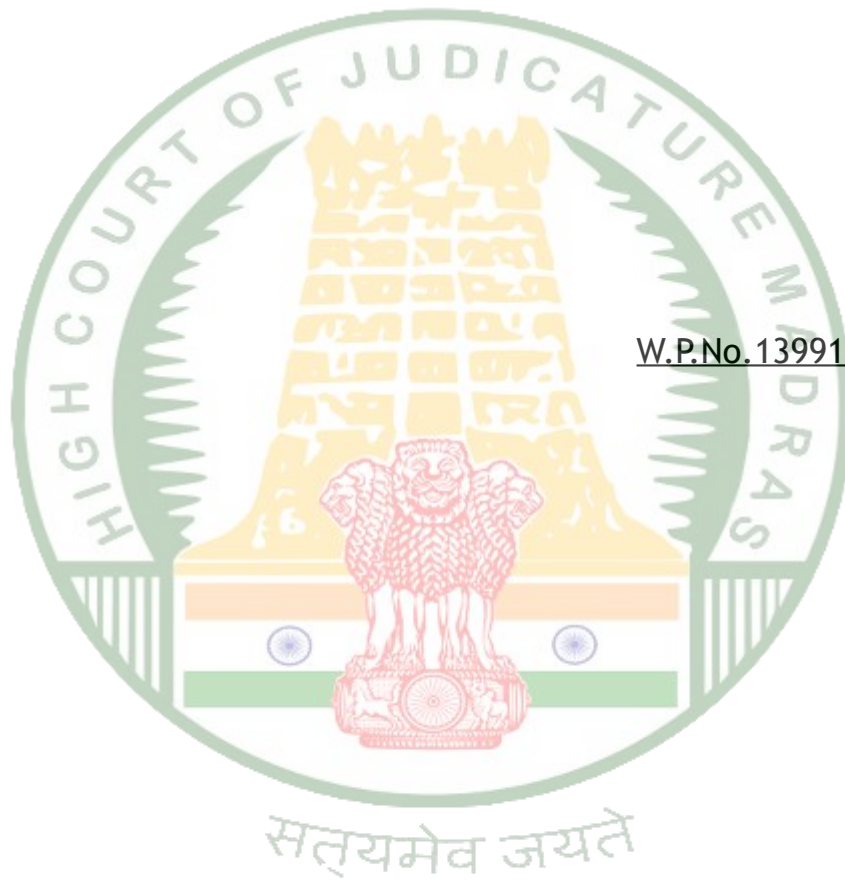
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SATRUGHANA PUJAHARI.,J
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