

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.08.2018

CORAM

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.No.15527 of 2018

G.Vimala

...Petitioner

..vs..

The State of Tamil Nadu
Rep. by the Principal Secretary
Revenue Department
Fort St. George, Chennai - 600 009

...Respondent

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for a writ of Mandamus directing the respondent to pass orders on the representation of the petitioner dated 21.05.2018, within a stipulated time.

For Petitioner : Mr.L.Chandrakumar
For Respondents: Mr.V.Kadhirvelu
Special Government Pleader

O R D E R

This Writ Petition has been filed seeking for a direction to the respondent to consider and pass orders on her representation dated 21.05.2018 on merits, within a stipulated period.

2. The grievance of the petitioner is that pursuant to the Charge Memo, he has submitted a explanation/representation to the respondent on 21.05.2018, denying the charges framed against him and also seeking for cancellation of the Charge Memo. Since, no action has been taken till date, the petitioner has come forward with this Writ Petition seeking for the aforesaid relief.

3. Heard, both the sides.

4. This Court is of the opinion that since it is prerogative of the disciplinary authority to take decision on the Charge Memo after receipt of the explanation with regard to the disciplinary proceeding and no time frame is prescribed under the rule, for the same, the prayer made appears to be without any substance. However, considering the well settled

position of law that delay in disposal of disciplinary proceeding causes serious prejudice to the delinquent and as such the same is required to be disposed of in an most expeditious manner, the disciplinary authority shall take a decision on the charge memo, taking note of the explanation with regard to conduct of enquiry, if there is no other legal impediment, if not already taken, within six weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(CS IV)

//True copy//

Sub Assistant Registrar

arr

To

The Principal Secretary
Revenue Department
Fort St. George, Chennai - 600 009

+1cc to Government Pleader SR.No.55063

WP.No.15527 of 2018

GN(30/08/2018)

सत्यमेव जयते

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