

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2018

CORAM

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P.No.17637 of 2018

S.Padmanaban

.. Petitioner

Vs.

1.The Commissioner of Revenue Administration,
Ezhilagam,
Chepauk,
Chennai-600 005.

2.The District Collector,
Ariyalur District,
Ariyalur.

.. Respondents

Petition filed under Article 226 of The Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to pass final orders in the file having reference Na.Ka.No.Service 5(1)/34698/2014 by taking into the explanation dated 26.11.2015 offered by the petitioner.

For Petitioner.. Mr.E.P.Senniyangiri

For Respondents .. Mrs.R.Janaki
Additional Govt. Pleader

ORDER

The petitioner has approached this Court, seeking the following relief:-

"To issue a Writ of Mandamus directing the 1st respondent to pass final orders in the file having reference Na.Ka.No.Service 5 (1)/34698/2014 by taking into the explanation dated 26.11.2015 offered by the petitioner".

2. The petitioner was appointed as Village Administrative Officer in June, 2006. On 06.09.2011, one Varadharajan made a complaint against the petitioner in regard to discharge of duties of the petitioner. On the basis of the complaint, a

criminal case was also registered. Thereafter, an enquiry was conducted into the allegations by serving a charge memo on the petitioner dated 13.09.2011. In response to the charge memo, the petitioner submitted his representation and also participated in the enquiry. On the basis of the conclusion of the enquiry, a show cause notice was issued proposing to impose punishment of 30% of pension cut for 2 years under the provisions of the pension rules. In response to the show case notice, the petitioner has submitted his explanation dated 26.11.2015. But till date, no orders have been passed by the 1st respondent. Therefore, the petitioner is before this Court seeking issuance of Writ of Mandamus directing the 1st respondent to pass orders after referring to the explanation dated 26.11.2015, offered by the petitioner.

3. Mrs.R.Janaki, learned Additional Government Pleader entered appearance for respondents and made her submissions.

4. In view of the limited prayer being sought for in the writ petition, this Court directs the 1st respondent to consider the explanation offered by the petitioner, dated 26.11.2015, in pursuance of the issuance of show cause notice issued on 28.10.2015 and pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

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To

1.The Commissioner of Revenue Administration,
Ezhilagam,
Chepauk,
Chennai-600 005.

2.The District Collector,
Ariyalur District,
Ariyalur.

+1cc to Mr.E.P.Senniyangiri, Advocate, S.R.No.46841

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VGII(CO)
GSP(06/08/2018)