

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 26.07.2018

CORAM

THE HONOURABLE MR.JUSTICE SATRUGHANA PUJAHARI

W.P.No.19106 of 2018

T.A.Vijayaragavan

...Petitioner

Versus

1. The Government of Tamil Nadu represented by
the Secretary to the Government,
Home (Transport) Department,
Fort St.George, Chennai-600009
 2. The Principal Secretary and Transport Commissioner,
Chennai-600005
 3. The Tribunal for Disciplinary Proceedings,
5/1842-A, Trichy Road,
Market Committee Complex,
Ramanathapuram, Coimbatore-641045
Coimbatore District
- ... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of mandamus directing the first respondent to pass final orders in the disciplinary proceedings pending against the petitioner on the basis of the Findings submitted by the second respondent in TDP Case No.5/2014 within a time limit to be fixed by this Court.

For Petitioner : Mr.P.Rajendran

For Respondents : Mr.N.Srinivasan,
Additional Government Pleader

ORDER

The writ petition has been filed by the petitioner challenging the non conclusion of the disciplinary proceeding initiated against the petitioner within a reasonable period. It is the case of the petitioner though departmental proceeding had already been concluded and enquiry report had been submitted, but thereafter no action appears to have been taken on such

enquiry report by the disciplinary authority and as such he has come to this Court seeking a direction to the first respondent to take an informed and considered decision on such enquiry report within a stipulated period.

2. The learned counsel appearing for the petitioner would submit that since the petitioner is facing disciplinary proceeding for about three years though the same is required to be concluded expeditiously. Hence, against the inaction on the part of the authority in taking any decision on the enquiry report as such the petitioner has made the prayer as stated above.

3. Mr.N.Srinivasan, learned Additional Government Pleader who takes notice on behalf of the respondents would submit that if that be so, the first respondent shall take a decision on the same within a reasonable period in accordance with law.

4. Considering the aforesaid facts and submissions made, this Court is of the view that no useful purpose is going to be served by keeping the writ petition pending seeking reply affidavit of the respondents and hence this Court disposes of this writ petition at the stage of admission with the direction to the first respondent to take an informed and considered decision on the enquiry report adhering to the procedures prescribed within a period of three months from the date of receipt of a copy of this Order.

5. It is made clear that the aforesaid order of this Court should not be construed to take decision in any particular manner but to take final decision in this regard. However, there shall be no order as to costs.

Sd/-

Deputy Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to the Government,
Government of Tamil Nadu,
Home (Transport) Department,
Fort St.George, Chennai-600009

WEB COPY

2. The Principal Secretary and Transport Commissioner,
Chennai-600005

3. The Tribunal for Disciplinary Proceedings,
5/1842-A, Trichy Road,
Market Committee Complex,
Ramanathapuram, Coimbatore-641045
Coimbatore District

+lcc to the Government Pleader, S.R.No.51392

W.P.No.19106 of 2018

GSP (27/08/2018)



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