

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 30.11.2018

CORAM:
THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.29326 of 2018
and W.M.P.No.34273 of 2018

Gnanaprakasam

... Petitioner

Vs.

1.The Director of Local Fund Audit,
Kuralagam, 4th Floor,
Chennai - 600 108.

2. The Assistant Director,
Municipal Pension Distribution Branch,
Local Fund Audit Department,
Kuralagam, 4th Floor, Chennai - 600 108.

3. The Director of Municipal Administration,
Chepauk,
Chennai - 600 005.

4.The Commissioner of Municipal Administration,
Kumarapalayam Municipality,
Kumarapalayam, Namakkal District.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorari, to call for the connected records on the file of the 3rd respondent and to quash the memorandum issued by the 3rd respondent in Roc.25926/2010/F2 dated 28.06.2010 as it is in violation of the order passed by this Court in W.P.No.25285 of 2012 dated 18.01.2013.

For Petitioner : Mr.R.Karthikeyan

For Respondents : Mr.R.S.Selvam,
Government Advocate for R1 to R3

Mr.A.S.Thambusamy,
Special Government Pleader for R4

O R D E R

This writ petition has been filed seeking to quash the charge memo issued by the third respondent dated 28.06.2010, contending that this charge memo is in violation of the order passed by this in W.P.No.25285 of 2012 dated 18.01.2013.

2. By an order dated 18.01.2013, there was a direction to the 1st respondent to complete the enquiry within a period of four months from the date of receipt of a copy of the order and the enquiry shall be conducted invoking the provisions of the Tamil Nadu Pension Rules.

3. The learned Special Government Pleader appearing for the 4th respondent submitted that the enquiry is completed and the Enquiry Officer has submitted a report stating that all the six charges framed against the petitioner were held as proved.

4. Under such circumstances, the respondents are directed to communicate a copy of the enquiry report to the petitioner and to proceed with in accordance with law, after obtaining petitioner's explanation further on the said report.

5. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Director of Local Fund Audit,
Kuralagam, 4th Floor, Chennai - 600 108.

2.The Assistant Director,
Municipal Pension Distribution Branch,
Local Fund Audit Department,
Kuralagam, 4th Floor, Chennai - 600 108.

3.The Director of Municipal Administration,
Chepauk, Chennai - 600 005.

4.The Commissioner of Municipal Administration,
Kumarapalayam Municipality,
Kumarapalayam, Namakkal District.

+2ccs to Mr.R.Karthikeyan, Advocate, S.R.No.82689

+1cc to the Government Pleader, S.R.No.82629

W.P.No.29326 of 2018

CA(CO)

rrs 29/01/2019