



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 13.08.2018

CORAM

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH

AND

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.A. (MD) .Nos.582 to 586 of 2014

and

M.P. (MD) .Nos.1,1,1,1 and 1 of 2014

1.The Principal Secretary to Government,
Home (Transport-II) Department,
Secretariat, Chennai-9.

2.The Commissioner,
Tribunal for Disciplinary Proceedings,
Tiruchirapalli.

... Appellants/Respondents
in call cases

Vs.

1.S.S.Senthil Arumugam
Assistant
No.19/4A, Periyar Street,
Trichy-20.

... Respondent in W.A.(MD) .
No.582/2018/Petitioner

2.Sheik Mohammed
Motor Vehicle Inspector Gr-I
No.21-B, State Bank Officers 2nd Colony,
Madurai 625 016.

... Respondent in W.A.(MD) .
No.583/2018/Petitioner

3.P.Malliswari
Motor Vehicle Inspector (Non-Technical)
Plot No.10 Sudhana Nagar,
Airport, Trichy-7.

... Respondent in W.A.(MD) .
No.584/2018/Petitioner

4.P.Rajendran,
Motor Vehicle Inspector Gr-I,
No.3-B, Celebrity Apartments,
No.153, Gandhi Road,
Salem-7.

... Respondent in W.A.(MD) .
No.585/2018/Petitioner

5.A.I.Shaw Navas
Retired Motor Vehicle Inspector (NT)
RH No.24, Ellis Nagar,
Madurai 625 010.

... Respondent in W.A.(MD) .
No.586/2018/Petitioner



COMMON PRAYER: Writ Appeals are filed under Clause 15 of Letter Patent, against the common order passed by this Court in W.P.(MD). Nos.12194 to 12198 of 2012, dated 14.09.2012.

COMMON PRAYER:

Writ Petition are filed under Article 226 of the Constitution of India, praying this Court to issue a WRIT OF CERTIORARI, to call for the records pertaining to the proceedings of the second Respondent in his T.D.P.No.15/2007 Rc.No.270/2006/A1, dated 29-06-2007 formulating a Charge against the Petitioner and the consequential order of the first Respondent herein passed in Letter (D) Nos.405, 404, 407, 406 and 408 dated 18-05-2012 respectively, rejecting the Petitioners representation to drop the departmental enquiry and Quash the same in so far as the petitioners are concerned.

For Appellant in : Mr.AK.Baskarapandian
all cases Special Government Pleader

For Respondent in : Mrs.Saraswathi for
all cases Mr.Ravishanmugam

COMMON JUDGMENT

[Judgment of the Court was made by M.M.SUNDRESH, J.]

When the matters came up for hearing, the learned counsel appearing for the respondents/writ petitioners would fairly submit that on a similar issue, Writ Appeals have been allowed by setting aside the order of the learned Single Judge. Thus, the charge memo under challenge is kept alive. The learned counsel has also produced a copy of the order dated 14.12.2017 in W.A.Nos.2296 and 2407 of 2012, passed by the Principal Division Bench.

2.Considering the aforesaid submission, we are inclined to set aside the order dated 14.09.2012 passed by the learned Single Judge in W.P.(MD).Nos.12194 to 12198 of 2012. However, taking note of the fact that the charges are framed as early as on 29.06.2007, the appellants shall conclude the same and pass appropriate final orders within a period of three months from the date of receipt of a copy of this order.

3.In view of the above, these Writ Appeals are allowed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS-II)

/True Copy/



To

1.The Principal Secretary to Government,
Home (Transport-II) Department,
Secretariat, Chennai-9.

2.The Commissioner,
Tribunal for Disciplinary Proceedings,
Tiruchirapalli.

+1CC to Mr.Ravishanmugam, Advocate, SR.No.15536
+5CC to the Special Government Pleader SR.No. 78828

W.A.(MD).Nos.582 to 586 of 2014 and
M.P.(MD).Nos.1,1,1,1 and 1 of 2014
13.08.2018

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ES/SKN/RSK/SAR 3/10.09.2018/3P/9C