BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.09.2018

CORAM:

THE HONOURABLE Mr.JUSTICE S.VAIDYANATHAN

W.P.(MD)No.19743 of 2018

K.Vimala Stella Bai ... Petitioner

Vs.

The District Colelctor,
Tirunelveli District,
Tirunelveli. ... Respondent

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent to finalise the Disciplinary proceedings initiated vide charge memo No.Na.Ka.276/2010/B2 dated 09.03.2010 within a stipulated period of time prescribed by this Court.

For Petitioner : Mr.N.Balamuralikrishnan
For Respondent : Mr.M.Pandiarajan
Additional Government Pleader

O R D E R

The petitioner seeks for a Writ of Mandamus, directing the respondent to finalise the Disciplinary proceedings vide charge memo No.Na.Ka.276/2010/B2 dated 09.03.2010 within a time stipulated by this Court.

2.The learned Additional Government Pleader takes notice for the respondent.

3.By consent, the writ petition itself is taken up for final disposal.

4.It is very unfortunate that the disciplinary proceedings dated 09.03.2010 initiated by the respondent, is yet to reach its finality.

5.The learned counsel appearing for the petitioner submitted that a suitable direction may be given to the respondent to finalize the departmental proceedings.

6.In view of the above, this Court without going into the merits of the case, directs the respondent to complete the enquiry, within a period of three months from the date of receipt of a copy of this order.

7.With the above direction, this Writ Petition is disposed of.

8.However, though the Secretary to Government, Revenue Department, is not a party to the proceedings, this Court is inclined to direct the Secretary, Government of Tamil Nadu, to issue circular and guidelines that wherever charge memo is issued, the enquiry proceedings shall be proceeded on day-to-day basis without adjourning the matter beyond seven working days, at any point of time and pass final orders, unless otherwise there is any legal impediment and the pendency of criminal case is also not a bar for proceeding departmentally. If the enquiry is stalled unnecessarily, tax payers money is being utilized to pay allowance to these kind of persons, who may ultimately to be found guilty. If any suspended employee is found stalling the proceedings, the subsistence allowance can be reduced to 50% in terms of Rules.

No costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS-I)

To

1.The District Colelctor,
Tirunelveli District,
Tirunelveli.

2.The Secretariate,
Revenue Department,
St.Fort George,
Chennai.

+1 CC To MR.N.BALAMURALI KRISHNAN, Advocate SR. NO. 84006
+1 CC TO The Special Government Pleader SR.NO. 84096

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12.09.2018

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