



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Original Jurisdiction)

Tuesday, the Thirtieth day of July Two Thousand Nineteen

PRESENT

The Hon'ble Mr. Justice M. SATHYANARAYANAN
and
The Hon'ble Mr. Justice B. PUGALENDHI

WP(MD) No.7431 of 2017 and 13055 of 2017

WP(MD) .No.7431 of 2017:

V. RAMADASS

... PETITIONER

Vs

1 THE COMMISSIONER OF
DIFFERENTLY ABLED PERSONS, 1ST FLOOR, STATE
RESOURCES CUM TRAINING CENTRE CAMPUS,
GOVERNMENT PEIPHERAL HOSPITAL CAMPUS,
JAWRHALA NEHRU INNER RING ROAD, K.K.NAGAR,
CHENNAI -9

2 MRS. SAGUNTHALA,
DISTRICT DISABLED PERSONS WELFARE OFFICER,
MADURAI DISTRICT.

... RESPONDENT

Prayer in WP(MD)No.7431 of 2017:

Writ petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st Respondent to consider the petitioner's representation dated 23.03.2017 against the 2nd Respondent herein in accordance with law.

WP(MD)No.13055 of 2017:

Raja

...Petitioner

-Vs.-

1. The Commissioner of Differently Abled Persons,
1st Floor, State Resources Training Centre Campus,
Government Peiphral Hospital Campus,
Jawaharlal Nehru Inner Ring Raod,
K.K.Nagar, Chennai-09.

2. The District Collector-um-Chair Person,
District Co-Ordination Committee of
Disabled Persons Welfare,
Madurai.



3.Sagunthala,
District Disable Persons Welfare Officer,
Madurai District.

4.S.Ulaganathan,
Junior Rehabilitation Officer,
Madurai Personally working at Salem.

Prayer in WP(MD).No.13055 of 2017:

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the 1st and 2nd Respondent to consider the petitioners representation dated 22.06.2017 in-order to take action against the 3rd and 4th Respondents herein based on the Joint Report of the Revenue Divisional Officer, Madurai and Deputy Registrar of Co-Operative, Madurai dated 03.11.2016 and in accordance with law.

ORDER : Writ Petitions are coming upon for hearing on this date upon perusing the affidavit and the material papers filed, and upon hearing the arguments of Mr.RM.Arun Swaminathan, Advocate for the Petitioner (in Both Cases), and of Mr.A.K.Baskara Pandian, Special Government Pleader on behalf of 1st Respondent in WP(MD)No.7431 of 2017, 1st and 2nd Respondents in WP(MD)No.13055 of 2017, Mr.B.Vinoth Kumar, Advocate for the 2nd Respondent in WP(MD)No.7431 of 2017 and of Mr.K.Samidurai, Advoate for the 3rd and 4th Respondent in WP(MD) No.13055 of 2017, this Court made the following order:-

In compliance of the order dated 19.01.2018, latest status report dated 29.7.19 has been filed by the 1st respondent. A perusal of the same disclose that charges were framed for not properly maintaining waiting list register for Maintenance Allowance Scheme for the financial year 2014-2015. The materials collected during the course of enquiry would disclose that duty to maintain the waiting list register for Maintenance Allowance Scheme falls outside the domain of scope of work and duties of the delinquent official and that there is no deprival of benefit to the child of the petitioner and further that no financial loss was also caused to the Government. Accordingly, final orders were passed on 17.7.2019 stating that no further action is required on the charges framed.

2. Learned counsel appearing for the petitioner has drawn the attention of this Court to the proceedings of the first respondent and submits that though it was observed that on account of improper measurements taken, weights/implements manufactured could not be used, however, it is to be noted at this juncture, the disciplinary proceedings were also initiated against Ms.Sakunthala and Mr.Ulaganathan and they were imposed with punishment of stoppage of increment for three months without cumulative effect.



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3. In the light of the contents of the status report, this Court is of the considered view that no further are necessary to be passed in these petitions.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

- 1.The Commissioner of Differently Abled Persons,
1st Floor, State Resources cum Training Centre Campus,
Government Peripheral Hospital Campus,
Jawaharlal Nehru Inner Ring Road,
K.K.Nagar, Chennai.
 - 2.The District Collector cum Chair-Person,
District Co-Ordination Committee of
Disabled Persons Welfare,
Madurai.
 - 3.Tmt.P.Maheswari, I.A.S.,
The Commissioner of Differently Abled Persons,
Lady Wellington College Campus, Kamarajar Road,
Chennai-600 005.
 - 4.The Secretary to Government of Tamil Nadu,
Social Welfare Nutrious Meal Programme Department,
Secretariat, Chennai-600 009.
 - 5.The Special Government Pleader,
Madurai Bench of Madras High Court,
Madurai.
- +1CC to SPL GP SR.No.78986 & 78987.
+1CC to Mr.K.Samudurai, ADVOCATE, SR No.78599.

ORDER

IN

WP(MD) No.7431 of 2017

Date :30/07/2019

CS (22.08.2019) 3P 8C