



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.10.2018

CORAM:

WEB COPY

THE HONOURABLE MR. JUSTICE V. PARTHIBAN

W.P.(MD) No.21082 of 2018 and
W.M.P.(MD) No.18872 of 2018

S.Sekar

... Petitioner

vs.

1. The Director of Elementary Education,
College Road, Egmore, Chennai.
2. The Chief Educational Officer,
Ramnad District, Ramnad.
3. The District Educational Officer,
Paramakudi, Ramnad District.
4. The Block Educational Officer,
Kamuthi, Ramnad District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of mandamus directing the 1st respondent to transfer the petitioner from Panchayat Union Elementary School, Kadambankulam, Ramanathapuram District to any of the existing vacancies at Virudhunagar or Tuticorin District, within a time stipulated by this Court.

For Petitioner : Mr.N.Balamuralikrishnan

For Respondents: Mrs.S.Srimathy

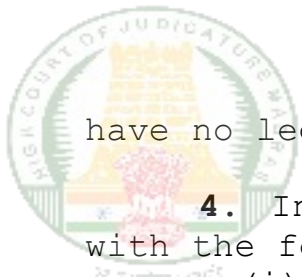
Special Government Pleader

O R D E R

Though a larger relief has been prayed in this writ petition, when the matter was taken up for hearing, the learned counsel appearing for the petitioner submitted that the petitioner would be satisfied if a direction is issued to the second respondent to conclude the enquiry in pursuance of the 17(b) charge memo, dated 11.04.2018, issued against him. Further, the learned counsel for the petitioner submitted that the petitioner has not been paid salary from the month of May, 2018 onwards.

2. Mrs.S.Srimathy, learned Special Government Pleader, takes notice for the respondents.

3. Since the direction, as sought in this writ petition, is limited in scope, the learned Special Government Pleader would



have no legitimate objection.

4. In view of the above, the writ petition is disposed of with the following directions:

- (i) The second respondent / competent Authority is directed to conclude the departmental enquiry in respect of the charge memo, dated 11.04.2018. issued against the petitioner, under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1973, within a period of four months from the date of receipt of a copy of this order.
- (ii) The second respondent is also directed to settle the salary for the period in question i.e., from May, 2018, in case the same is admissible to the petitioner, within a period of two weeks from the date of receipt of a copy of this order.
- (iii) The time limit, as stipulated above, shall be strictly complied with by the second respondent without fail.
- (iv) No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

/True Copy/

Sub Assistant Registrar (CS-I)

To:

1. The Director of Elementary Education,
College Road, Egmore, Chennai.
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3. The District Educational Officer,
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4. The Block Educational Officer,
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+ 1 CC TO Mr.V.PERUMAL, ADVOCATE IN SR No. 89494

KRK

TE/RSK/SAR-1 : 30/10/2018 : 2P/6C