



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:08.02.2018

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THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.1216 of 2011

and

M.P (MD) No.1 of 2011

Chinnalagu

... Petitioner

-vs-

1.The District Collector,
Sivagangai District,
Marudhupandiar Nagar,
Sivagangai.

2.The Personal Assistant to Collector(Noon Meals),
Sivagangai,
Sivagangai District.

3.The Block Development Officer,
Manamadurai Panchayat Union,
Manamadurai,
Sivagangai District.

4.Mallika
The Deputy Block Development Officer(Noon Meals),
Manamadurai Panchayat Union,
Manamadurai,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari calling for the records pertaining to the second respondent's proceedings in Na.Ka.R4/1950/11, dated 18.1.2011 and to quash the same in the interest of justice.

For Petitioner : M/s.T.Kumar

For Respondents : Mr.R.Sethuraman,

<https://hcservices.ecourts.gov.in/hcservices> and 2

Spl. Government Pleader

For Respondents : M/s.B.K.Rajendran

3 and 4

**ORDER**

The order of suspension issued by the second respondent by proceedings dated 18.1.2011, is under challenge in this Writ Petition.

2.The Writ Petitioner was holding the post of Noon Meal Organizer at Okkur Vellaiyan Chettiar Elementary School at Manamadurai. The Writ Petitioner alleged to have been committed mis-conduct of un-authorized absence and not supplied the eggs to be supplied to the students. On account of these allegations, the Writ Petitioner was placed under suspension in proceeding, dated 18.01.2011

3.However, the learned Special Government Pleader appearing on behalf of the respondents 1 and 2 states that the disciplinary proceedings initiated against the Petitioner is pending and not yet concluded.

4.This Court is of an opinion that the authorities on initiation of disciplinary proceedings, has to conclude the same within a reasonable period of time. The disciplinary proceedings initiated cannot be kept pending for an unspecified period, which would cause prejudice to the employees also. The enquiry proceedings are to be concluded without causing any undue delay.

5.Further, the disciplinary proceedings are pending for the past seven years and it is left open to the respondents 1 and 2 to conclude the enquiry proceedings and take a decision and pass final orders in the disciplinary proceedings without any further delay.

6.Under these circumstances, it is not preferable to kept the Writ Petitioner under suspension, since she is under suspension for about seven years. Accordingly, this Court is inclined to consider the Writ Petition. The order impugned passed by the second



respondent in proceeding in Na.Ka.R4/1950/11, dated 18.01.2011 is quashed and the respondents 1 and 2 are directed to conclude the disciplinary proceedings and pass final orders within a period of four months from the date of receipt of a copy of this order.

7. Accordingly, the Writ Petition is allowed. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar (CS-I)

/True Copy/

Sub Assistant Registrar

To

1. The District Collector,
Sivagangai District,
Marudhupandiar Nagar,
Sivagangai.

2. The Personal Assistant to Collector (Noon Meals),
Sivagangai,
Sivagangai District.

3. The Block Development Officer,
Manamadurai Panchayat Union,
Manamadurai,
Sivagangai District.

+1cc to M/S.T.KUMAR, Advocate SR.No.47093.

+1cc to Special Government Pleader in SR.No.47481.

W.P. (MD) No.1216 of 2011
and
M.P (MD) No.1 of 2011
08.02.2018

vsn

SDS/GT/SAR 1/20.02.2018/3P/6C