

IN THE HIGH COURT OF JUDICATURE AT MADRAS  
DATED : 07.02.2019

CORAM  
THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM  
W.P.No.4132 of 2018

Kulandaivelu

...Petitioner

Vs

1. The Assistant Director of Survey and  
Land Records,  
Collectorate, Kishnagiri district.
2. The Enquiry Officer,  
Inspector, Operation Section,  
Hosur.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ or order or orders or direction particularly in the nature of Writ of Mandamus to direct the respondents and to complete the departmental proceedings initiated in Na.Ka.D.5.3891/2009 dated 01.12.2009 and regularize petitioner's suspension period.

For Petitioner : Ms.Selvi George  
For Respondents 1 & 2: Mr.R.S.Selvam  
Government Advocate

O R D E R

The relief sought for in the present writ petition is for a direction to direct the respondents to complete the departmental proceedings initiated in Na.Ka.D.5.3891/2009 dated 01.12.2009 and regularize petitioner's suspension period.

2. Admittedly, disciplinary proceedings initiated against the writ petitioner is pending. The grievances of the writ petitioner is that the proceedings were initiated long back during the year 2009 and the same is yet to be concluded. In respect of the long delay in disposal of the disciplinary proceedings, the writ petitioner's is denied all service benefits and even the period of suspension has not been regularized. The promotional opportunities also denied to the writ petitioner, so also the fixation of pay and other benefits.

3. This Court is of an opinion that the Disciplinary Authorities on initiation on disciplinary proceedings must ensure that the proceedings are concluded at the earliest possible and without causing undue delay. Keeping the

disciplinary proceedings for a long period will cause prejudice to the interest of the employees also. The Government also issued various guidelines to conclude the disciplinary proceedings at the earliest possible time. In spite of all these guidelines and the orders, the respondents have not yet concluded the disciplinary proceedings initiated against the writ petitioner.

4. It is also important that the writ petitioner also should cooperate for the conclusion of departmental disciplinary proceedings by participating and by submitting his defense statements or otherwise. If any non-occupation is found on the part of the writ petitioner, same shall be recorded by the Disciplinary Authorities as well by the Enquiry Officer in the proceeding.

5. This being the principles to be followed, the respondents are directed to proceed with the enquiry at the earliest possible and conclude the same without causing any undue delay, enable the writ petitioner to redress his grievances. With these observations, the writ petition stands disposed of. No Costs.

Sd/-  
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Pkn

To

1. The Assistant Director of Survey and Land Records,  
Collectorate, Kishnagiri district.
2. The Enquiry Officer,  
Inspector, Operation Section,  
Hosur.

+lcc to M/s.Selvi George, Advocate, S.R.No.10725

+lcc to the Government Pleader, S.R.No.11368

W.P.No.4132 of 2018

MG(CO)

rrs 18/03/2019