

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.02.2019

CORAM

THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P.No.613 of 2018
and W.M.P.Nos.749 & 750 of 2018

S.Leemaroselin

...Petitioner

Vs

1. The Personal Assistant (Development)
to the District Collector,
Tiruppur, Tiruppur District.

2. The Block Development Officer,
(Village Panchayat)
Panchayat Union, Kangayam,
Tiruppur district.

...Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records relating to the impugned order passed by the 1st respondent in his proceedings Roc.No.6590/2017/V6, dated 30.11.2017 and quash the same and consequently directing the respondents to reinstate the petitioner into service along with backwages, attendant benefits and other monetary benefits to the petitioner.

For Petitioner : Mr.C.Prakasam

For Respondents : Mr.R.Selvam for R1
: Mr.A.Rajaperumal for R2

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O R D E R

The order of suspension issued by the first respondent in proceeding dated 30.11.2017 is under challenge in the present writ petition.

2. The learned counsel appearing on behalf of the writ petitioner states that the order of suspension was issued on 30.11.2017 and the writ petitioner is under continuous

suspension for more than one year. The charge memo was issued on 30.11.2017, however no final order has been passed in the disciplinary proceedings.

3. The learned Government Advocate appearing on behalf of the first respondents made a submission that, the enquiry has already been concluded on 08.01.2019 and the further explanations are sought for along with the enquiry report on 25.01.2019. On receipt of the explanations/objections from the writ petitioner, the final order in the disciplinary proceedings would be passed by the Disciplinary Authority. In view of the said submission, this Court is of an opinion that there is no delay on the part of the Disciplinary Authority in pursuing the disciplinary proceedings initiated against the writ petitioner. On receipt of the explanations/objections from the writ petitioner based on the second show-cause notice the Competent Authorities are at liberty to consider the materials available on record, take a decision and pass final order in disciplinary proceedings in accordance with law.

4. With these observations, the writ petition stands dismissed. No Costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

Pkn/sbn

To

1. The Personal Assistant (Development)
to the District Collector,
Tiruppur, Tiruppur District.

2. The Block Development Officer,
(Village Panchayat)
Panchayat Union, Kangayam,
Tiruppur district.

+1cc to Mr.C.Prakasam, Advocate, S.R.No.10380

+1cc to the Government Pleader, S.R.No. 9727

W.P.No.613 of 2018

GJ(CO)
CS/14/03/2019