

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :24.07.2019

CORAM

THE HONOURABLE Mr. JUSTICE V.PARTHIBAN

W.P.No.3240 of 2019
and
W.M.P.Nos.3496 & 3498 of 2019

A.K.Chinna Kolandai

... Petitioner

Vs.

- 1.The State of Tamil Nadu,
Rep. By its Principal Secretary to Government
Personnel and Administrative Reforms Department,
Secretariat, Chennai - 600 009.
- 2.The Secretary to Government,
Revenue Department,
Secretariat,
Chennai - 600 009.
- 3.The Principal Secretary/Commissioner of
Revenue Administration,
Chepauk, Chennai - 600 005.
- 4.The District Collector,
Dharmapuri District.
- 5.The District Revenue Officer,
Collector's Office,
Dharmapuri - 636 705.
- 6.The Revenue Divisional Officer,
(Presently Sub Collector)
Dharmapuri - 636 701.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records of the 6th respondent in R.C.10928/2005/A1 dated 07.11.2017 and quash the order dated 07.11.2017 and consequently direct the respondents to treat the period of suspension of the petitioner as one of duty and allow the petitioner to retire from service with all accrued retiral benefits, to be paid within a reasonable period of time.

For Petitioner : Mr.M.Sivavarathanan
For Respondents : Mr.J.Pothiraj
Special Government Pleader

ORDER

When the matter is taken up for hearing, the learned counsels appearing for either of the parties would submit that in pursuance of the charge memo dated 07.11.2017, an enquiry was conducted and the same was also completed. According to the learned counsel for the respondents that enquiry report has been submitted and explanation of the petitioner has also been obtained. Since the enquiry has been completed and the report submitted, this Court is unable to entertain the present writ petition, since the disciplinary action initiated in pursuance of the impugned charge memo must be allowed to reach its logical end.

2.In view of the same, this Court does not think that the challenge to the charge memo can be entertained at this stage and also in view of the subsequent development which has taken place during the pendency of the present writ petition. In such view of the matter, this Court, in the fitness of things, is of the considered view that a direction be issued to the 3rd respondent to pass final orders, on the disciplinary action initiated against the petitioner in pursuance of the impugned charge memo dated 07.11.2017, within a period of eight weeks from the date of receipt of a copy of this order.

3.It is made clear that the issues as raised in the writ petition challenging the charge memo were not dealt with by this Court and this Court does not express any opinion on the same. It is also made clear that it is open to the petitioner to urge all the issues as raised in the writ petition in case any adverse order is passed against him by the disciplinary authority.

4.The Writ Petition is disposed of, as indicated above. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

Sgl

To

1. The Principal Secretary to Government
Personnel and Administrative Reforms Department,
Secretariat, Chennai - 600 009.
2. The Secretary to Government,
Revenue Department,
Secretariat,
Chennai - 600 009.
3. The Principal Secretary/Commissioner of
Revenue Administration,
Chepauk, Chennai - 600 005.
4. The District Collector,
Dharmapuri District.
5. The District Revenue Officer,
Collector's Office,
Dharmapuri - 636 705.
6. The Revenue Divisional Officer,
(Presently Sub Collector)
Dharmapuri - 636 701.
7. The Government Advocate,
High Court, Madras.

+lcc to Government Pleader sr.63809

+lcc to Mr.M.Sivavarathanan, Advocate sr.63209

सत्यमेव जयते

W.P.No.3240 of 2019

sj(co)
nr 06/09/2019

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