

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :02.04.2019

CORAM

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

W.P.No.7421 of 2019

S.Balachandran

.. Petitioner

..vs..

1. Additional Chief Secretary to Government (FAC),
State of Tamil Nadu,
Finance (T&A2) Department,
Secretariat,
Ezhilagam,
Chennai - 9.

2. Principal Secretary/Commissioner of Treasuries & Accounts,
Treasury Integrated Complex,
Animal Husbandry Complex,
Chennai - 35.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to complete the proceedings in G.O. (3D).No.19 Finance (T&A-II) Department dated 16.06.2017 and pass final orders in accordance with law within stipulated time fixed by this Court.

For Petitioner : Mr.A.Parameswaran

For Respondents : Mr.R.S.Selvam, Government Advocate

ORDER

The relief as such sought for in the present writ petition is for a direction to direct the respondents to complete the departmental disciplinary proceedings, initiated against the writ petitioner and pass final orders in accordance with law.

2. The learned counsel for the writ petitioner states that on account of certain allegations, the departmental disciplinary proceedings are initiated against the writ petitioner and the charge memo was issued in proceedings dated 05.06.2018. The writ petitioner had submitted his explanations and he was willing to participate in the process of enquiry. However, there is a delay on the part of the respondents in concluding the enquiry

proceedings. Thus, the writ petitioner is constrained to move the present writ petition.

3. The learned Government Advocate appearing on behalf of the respondent made a submission that the respondents have already taken notice to proceed with the departmental disciplinary proceedings and to conclude the same. Thus, in the event of granting six months, the respondents would be in a position to conclude the enquiry and pass final orders in the departmental disciplinary proceedings. The said submission is made based on the written instructions provided to the learned Government Advocate by the Government in Letter dated 01.04.2019. In view of the submissions made, the respondents are directed to proceed with the departmental disciplinary proceedings, conclude the same and pass final orders within a period of six months from the date of receipt of a copy of this order.

4. The writ petitioner is directed to co-operate for the early disposal of the enquiry proceedings and in the event of any non co-operation on the part of the writ petitioner, the same shall be recorded by the Competent Authorities in the proceedings and in the event of establishing such a non co-operation, the time limit fixed need not be adhered to.

5. With these directions, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar (Insp.Cell)

//True Copy//

Sub Assistant Registrar

Pns
To

1. The Additional Chief Secretary to Government (FAC),
State of Tamil Nadu, सतयमेव जयते
Finance (T&A2) Department, Secretariat,
Ezhilagam, Chennai - 9.

2. The Principal Secretary/Commissioner of Treasuries & Accounts,
Treasury Integrated Complex,
Animal Husbandry Complex, Chennai - 35.

+1 cc to Mr.A.Parameswaran, Advocate, S.R.No.31572

+1 cc to the Government Pleader, S.R.No.32020

W.P.No.7421 of 2019

MG(CO)
SSM(03/05/2019)