

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.16381 of 2019
and
W.M.P.No.16061 of 2019

V.Munusamy

... Petitioner

Vs.

1.The Deputy Secretary to the Government
Home (TR-II Department)
Fort St. George
Chennai

2.The Commissioner of Transport
Chepauk, Chennai

3.The Joint Transport Commissioner
Madurai

4.The Regional Transport Officer
Madurai Central, Madurai

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to call for records in Proc.R.No.38467/VA2/2017 dated 27.04.2018 on the file of the 2nd respondent and quash the same and directing the respondent to relieve the petitioner from his service and disburse the terminal benefits.

For Petitioner : Mr.R.Rajarajan

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

O R D E R

By consent of both sides, the writ petition is taken up for final disposal at the admission stage itself.

2.The learned counsel appearing for the petitioner would submit that the petitioner joined as a typist in the Regional Transport Office at Erode in the year 1986 and subsequently

promoted upto P.A. To the RTO. The petitioner has to retire from service on 06.04.2018. In the year 2015, the department initiated proceedings for issuing badges for transport vehicles to 38 drivers by using bogus transport certificate. Hence, the 2nd respondent herein issued an impugned order in Proc.R.No.38467/VA2/2017 dated 27.04.2018 and placed the petitioner under suspension from service and he was not permitted to retire from his services. Hence, the present writ petition.

3.The learned counsel for the petitioner would further submit that in view of the suspension order, the petitioner could not retire from the service and till date the enquiry has not been completed. Hence, he would submit that it would suffice if a direction is issued to the 2nd respondent to complete the enquiry within a reasonable time fixed by this Court.

4.The learned Government Advocate would accede to the request made by the learned counsel for the petitioner and submitted that the same will be considered on merits and in accordance with law.

5.It is seen from the records that the impugned order was passed in the year 2018 and the enquiry is pending for more than one year. Hence, this Court is inclined to direct the 2nd respondent to complete the enquiry proceedings and pass orders on merits and in accordance with law within a period of six months from the date of receipt of copy of this order.

6.With the above directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

To

1.The Deputy Secretary to the Government
Home (TR-II Department)
Fort St. George, Chennai

2.The Commissioner of Transport
Chepauk, Chennai

3.The Joint Transport Commissioner
Madurai

4.The Regional Transport Officer
Madurai Central
Madurai

+lcc to Mr.R.Rajarajan, Advocate, SR.No.80899
+lcc to the Govt.Pleader, Vide Sr.No.80756

W.P.No.16381 of 2019
and
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Kak(30/10/2019)



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