

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :17.09.2019

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THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.27526 of 2019

S.Chandrasekar

..Petitioner

vs

The Agricultural Production Commissioner
and Principal Secretary to Government
Secretariat, Fort St. George
Chennai-9.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to pass final orders in TDP No.16/2011 in accordance with law insofar as the petitioner is concerned as sought vide representation dated 19.07.2019.

For Petitioner : Mr.N.A.Nissar Ahmed

For Respondent : Ms.R.Janaki

Additional Government Pleader

O R D E R

Writ Petition is filed for issuance of a Writ of Mandamus directing the respondent to pass final orders in TDP No.16/2011 in accordance with law insofar as the petitioner is concerned as sought vide representation dated 19.07.2019.

2.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent. By consent, the writ petition is taken up for final disposal.

3. The case of the petitioner is that the respondent has initiated disciplinary proceedings in TDP No.16/2011 against the petitioner and five others for allegedly not properly implementing the drip/sprinkler irrigations system in the lands of the farmers during 2003-2004 and thereby caused financial loss to the Government. The petitioner was

arrayed as an accused No.5. The petitioner has put in 37 years of service and was permitted to retire on 31.07.2015. Thereafter, enquiry proceedings has been concluded and copies of the proceedings were sent to the respondent. On 12.07.2019, final orders came to be passed by the respondent as against one of the delinquent viz., R.Jayakumar, who was arrayed as Accused No.3 in TDP No.16/2011 after getting his explanation. Therefore, the petitioner has made a representation dated 19.07.2019 to pass final orders. However, no final order was passed. Hence this writ petition.

4. Learned counsel for the petitioner submitted that without going into the merits of the case, it would suffice, if this Court issues direction to the respondent to pass final orders as per TDP No.16/2011 within reasonable time.

5. Learned Additional Government Pleader for the respondent has also conceded the request made by the learned counsel appearing for the petitioner.

6. Considering the facts and circumstances of the case, though the respondent has concluded disciplinary proceedings on 11.01.2019, they have not passed final orders till date. Hence, this Court hereby directs the respondent to pass final orders on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

7. The writ petition is disposed of on the above terms. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(insp cell)

//True Copy//

Sub Assistant Registrar

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To

The Agricultural Production Commissioner
and Principal Secretary to Government
Secretariat, Fort St. George, Chennai-9.

+1cc to Mr.N.A.Nissar Ahmed, Advocate SR.No. 80016

+1 cc to Government Pleader Sr.No. 80724

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A.SK(11/10/2019)