

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :23.09.2019
CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.28087 of 2019

S.Kumarimannan

..Petitioner

Vs

The Commissioner of Municipal
Administration, Urban Administration Building Complex,
75, Santhome High Road, Raja Annamalaipuram,
Chennai 600 028.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the
Constitution of India praying to issue a Writ order or direction
in the nature of writ of Mandamus, directing the respondent to
pass final orders on the departmental proceedings initiated
against the petitioner in pursuance of the charge memo dated
27.06.2018 at an early date.

For Petitioner : Mr.M.Gnanasekar
For Respondent : M/s.M.Lalitha
Government Advocate.

O R D E R

The prayer sought for herein in this Writ Petition is for
issuance of a Writ of Mandamus, directing the respondent to pass
final orders on the departmental proceedings initiated against
the petitioner in pursuance of the charge memo dated 27.06.2018
at an early date.

2. The case of the petitioner is that the petitioner was
initially appointed as Junior Assistant on 16.10.1985.
Subsequently, the petitioner was promoted as Assistant, Revenue
Inspector (Class V), Manager, Assistant Revenue Officer Class
(IV), Revenue Officer (Class II), and as Manager (Class-1A) and
then finally as Manager (Class-1). While so, by an order dated
17.05.2018, the respondent placed him under suspension, in
contemplation under Rule 9(1) of the Rule 8 of the Tamilnadu
Municipal General Services (Discipline and Appeal Rules) 1970 on
the ground of the pendency of the charge memo. However, a charge
memo was issued only on 27.06.2018. The respondent leveled about
six charges, on the basis of the letter No. 9002/2017/C1 dated
07.05.2018 of the Municipal Commissioner, Kumbakonam
Municipality, when the petitioner was working as Class - 1

Manager and though the enquiry was completed, till date, the respondents are not passing any order and the petitioner is due for promotion. The grievances of the petitioner is that the enquiry has been completed long ago till date no final orders are being passed and that his Junior has been given promotion and he has submitted a representation dated 30.08.2019 and hence he has filed the present writ petition.

3. The learned counsel for the petitioner would submit that it would be suffice if *** a direction is issued to the respondent to pass final orders on the enquiry report submitted on 08.07.2019 within a stipulated time.**

4. Without expressing any opinion on merits, I am inclined to issue a direction to the respondent to *** pass final orders on the enquiry report submitted on 08.07.2019,** within a period of *** two** weeks from the date of receipt of a copy of this order. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (CS VI)

31.10.2019

*** Corrected as per order of
this order dated 15.11.2019
and made herein**

Sd/-

Assistant Registrar (CS-VI)

Dated 22.11.2019

//True Copy//

Sub Assistant Registrar

kmm

To

The Commissioner of Municipal
Administration,
Urban Administration Building Complex,
75, Santhome High Road,
Raja Annamalaipuram,
Chennai 600 028.

**To be submitted to the
order already
Despatched on
19.11.2019**

+1cc to Mr.M.Gnanasekar, Advocate, SR.No.81858
+1cc to the Govt.Pleader, Vide Sr.No.82282

W.P.No. 28087 of 2019

Kak(31/10/2019)
CS/22/11/2019