

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :30.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.30688 of 2019

K. Balakrishnamurthy

...Petitioner

vs

The District Collector,
Thiruvannamalai,
Thiruvannamalai District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ more appropriately a Writ of Mandamus by directing the respondent to pass final upon the enquiry conducted under charge memorandum dated 02.08.2016 vide Memo No.9214/2016/PA-1.

For Petitioner : Mr. K. Bhasker

For Respondent : Mr. K. S. Suresh,
Government Advocate

O R D E R

With the consent of both the parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

2. The petitioners filed this Writ Petition seeking direction to direct the respondent to pass final upon the enquiry conducted under charge memorandum dated 02.08.2016 vide Memo No.9214/2016/PA-1.

3. The case of the petitioner is that the petitioner joined as Junior Assistant in the Transport Department in the year 1985. Subsequently, he was transferred to respondent department and posted at Sivagangai District and promoted as Extension officer in the year 2002. Thereafter again promoted as Block development Officer and posted at Pernamallur Panchayat Thiruvannamalai District on 13.05.2010 and till superannuation

the petitioner worked in the said capacity. Thereafter in the year year 2016 a charge memo was issued directly without any show cause notice for misconduct and certain irregularities in respect of said recruitments. Subsequently enquiry notice was issued stating that enquiry would be held on 15.02.2017. Thereafter enquiry held and concluded in May 2017. Thereafter the petitioner retired from service 30.09.2019, in the meanwhile the petitioner was suspended on 28.09.2018, however till date the respondent has not concluded the enquiry. Hence the present Writ Petition is filed.

4. The learned counsel for the petitioner would submit that it would be suffice to issue direction to the respondent to dispose of the disciplinary proceedings to enable him to receive retirement benefits.

5. Mr.K. S. Suresh, learned Government Advocate for the respondent agreed to dispose of the disciplinary proceedings within a period of twelve weeks from the date of receipt of a copy of this order.

6. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, I am inclined to issue direction to the respondent to dispose of the disciplinary proceedings so as to enable the petitioner to receive his retirement benefits within a period of twelve (12) weeks from the date of receipt of a copy of this order and the petitioner is also directed to co operate with the disciplinary proceedings for early disposal. With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

सत्यमेव जयते Sub Assistant Registrar

To

The District Collector,
Thiruvannamalai,
Thiruvannamalai District.

+1cc to Mr.K.Bhasker, Advocate Sr.89858
+1cc to the Government Pleader Sr.91136

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srg 13/12/2019