



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :20.12.2019

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WEB COPY

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.35324 of 2019
and WMP No.36141 of 2019

M.Narayanan

...Petitioner

Vs.

1. The Secretary to Government,
Revenue Department,
Fort St. George, Chennai 600 009.
 2. The Principal Secretary to Government cum
Commissioner of Revenue Administrative
and Disaster Management, Chepauk, Chennai 600 005.
 3. The Collector,
Kancheepuram District.
- ..Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents 2 and 3 to promote the petitioner as District Revenue Officer without prejudice to the charge memo issued to the petitioner and dispose of the petitioner representation dated 05.12.2019.

For Petitioner	: Mrs.S.Illamvaludhi
For Respondents	: Mrs.K.Bhuvaneswari, Additional Government Pleader for Respondents 1 to 3.

O R D E R

This writ petition has been filed for the issue of writ of Mandamus directing the respondents 2 & 3 to promote the petitioner as District Revenue Officer without prejudice to the charge memo issued against the petitioner.

2. The case of the petitioner is that pursuant to the orders passed by this Court in WP No.8035 of 2015, charge memo came to be issued against the petitioner on 21.09.2017. It was made clear in the orders passed by this Court that the entire process must be completed, within a period of six weeks and this order was passed on 31.03.2016.



3. The petitioner after the issuance of the charge memo had submitted an explanation and thereafter, the Enquiry Officer came to be appointed only in August 2019. The petitioner had given the explanation to the Enquiry Officer and it is the case of the petitioner that the Enquiry Officer has completed the enquiry and a report has also been submitted to the Government. In spite of the same, no final orders have been passed till date.

4. The grievance of the petitioner is that the petitioner is due for promotion to the post of District Revenue Officer and due to the pendency of the disciplinary proceedings, his name has not been included in the list and therefore, the petitioner left with no other option has filed the present writ petition before this Court.

5. Heard the learned counsel appearing for the petitioner and the learned counsel appearing on behalf of the respondents.

6. Taking into consideration the facts and circumstances of the case and also the fact that the Enquiry has already been completed and a report has been submitted to the Government, there shall be a direction to the 1st respondent to pass final orders, after taking into consideration the enquiry report submitted and the explanation given by the petitioner, within a period of four weeks from the date of receipt of copy of this order. The petitioner is directed to make a fresh representation to the 3rd respondent along with copy of this order and also mark a copy of the same to the 1st respondent.

7. This writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
Revenue Department,
Fort St. George, Chennai 600 009.

2. The Principal Secretary to Government cum
Commissioner of Revenue Administrative
and Disaster Management, Chepauk, Chennai 600 005.

3. The Collector, Kancheepuram District.

+1cc to Mr.S.Ilamvaludhi , Advocate SR.No. 106022

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