

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2019

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.30003 of 2018

K.Bagyalakshmi

... Petitioner

vs

The District Collector
Office of the District Collector
Tirupur District.

.... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for an issuance of Writ of Mandamus, directing the respondent to pass final order in respect of the disciplinary action taken as against the petitioner herein vide proceedings bearing ROC No.3856/2012/VI dated 24.09.2013 and consequentially direct the respondent to pay the terminal benefits which is due to the petitioner.

For Petitioner : Mr.K.Venkateswaran

For Respondent : Mr.A.N.Thambidurai
Special Government Pleader

ORDER

The grievance of the writ petitioner is that the disciplinary proceedings were initiated against the petitioner by placing him under suspension in proceedings dated 03.01.2013. The charge memo was issued in proceedings dated 12.04.2013. The writ petitioner submitted his explanation on 10.05.2013 and additional explanation on 01.07.2013 and thereafter, the enquiry officer was appointed, who in turn conducted an enquiry and submitted his final report. The second show cause notice has also been issued enclosing the copy of the enquiry report to the writ petitioner and the writ petitioner has submitted further representations/objections on the enquiry report on 01.08.2015.

2.The learned counsel for the writ petitioner states that the long pendency of the departmental disciplinary proceedings

resulted in denial of his service benefits including promotion and other consequential benefits. Thus, earlier disposal of the departmental disciplinary proceedings is certainly warranted. This Court is of the considered opinion that on initiation of departmental disciplinary proceedings, the authorities competent must ensure that such proceedings are concluded within a reasonable period of time and without causing any undue delay. Undoubtedly, the long pendency of the disciplinary proceedings would cause prejudice to the interest of the employees to get terminal and retirement benefits.

3.This being the consequence of the long pendency of the disciplinary proceedings, the authorities competent must be vigilant over the disciplinary proceedings and conclude the same as expeditiously as possible. In the present case on hand, the enquiry proceedings had already been concluded and the enquiry officer has also submitted his report.

4.Under these circumstances, the respondent is directed to conclude the proceedings and pass final orders in the departmental disciplinary proceedings within a period of twelve weeks from the date of receipt of copy of this Order. Accordingly, the writ petition stands disposed of. No costs.

ssb/gbi

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

The District Collector
Office of the District Collector
Tirupur District.

+1cc to Mr.K.Venkateswaran, Advocate, SR.No.33530

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Kak(20/05/2019)