

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.04.2019

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.30261 of 2018

K.Rethina Kumar

... Petitioner

..Vs..

1.The Government of Tamil Nadu,
Rep.by its Principal Secretary to Government
Rural Development & Panchayat Raj Department
Fort St.George, Chennai - 600 009.

2.The Director of Rural Development & Panchayat Raj
Panagal Building
Saidapet, Chennai - 600 015.

3.The District Collector
Nagapattinam District
Nagapattinam

4.The District Collector
Virudhunagar District
Virudhunagar

... Respondents

PRAYER : Petition filed Under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to pass final order in the disciplinary proceeding pursuant to the charge memo dated 04.02.2011 issued by the third respondent within a stipulated time.

For Petitioner : Mr.V.Suthakar

For Respondents: Mr.R.S.Selvam (Government Advocate)

O R D E R

The relief sought for in the present writ petition is for a direction to direct the third respondent to pass final order in the disciplinary proceeding pursuant to the charge memo dated 04.02.2011 issued by the third respondent.

2. The grievances of the writ petitioner is that he attained the age of superannuation pursuant to the charge memo dated

04.02.2011, and he is entitled to get pensionary and terminal benefits.

3. The learned counsel appearing on behalf of the respondents states that the charge memo issued against the writ petitioner in proceedings dated 04.02.2011, was proceeded with and the Enquiry Officer concluded the enquiry and submitted his report. The copy of the enquiry report was communicated to the writ petitioner and the writ petitioner also submitted his explanations on the findings of the Enquiry Report on 17.06.2015. However, the disciplinary authority has not passed the final orders for the reasons not known.

4. Under these circumstances, the second respondent is directed to pass final orders in the departmental disciplinary proceedings on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order.

5. Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Principal Secretary to Government
Government of Tamil Nadu,
Rural Development & Panchayat Raj Department
Fort St.George, Chennai - 600 009.

2.The Director of Rural Development & Panchayat Raj
Panagal Building
Saidapet, Chennai - 600 015.

3.The District Collector
Nagapattinam District, Nagapattinam.

4.The District Collector
Virudhunagar District, Virudhunagar.

+1cc to M/S.V.Suthakar, Advocate Sr.36078
+1cc to the Government Pleader Sr.35809

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srg 23/05/2019