

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 07.01.2019
CORAM
THE HON'BLE DR.JUSTICE S.VIMALA
W.P.No.34508 of 2018

C.Sekar

...Petitioner

Vs

The State of Tamil Nadu
rep.by its Additional Chief Secretary to Government
Home (Transport II) Department, Secretariat
Chennai - 600 009.

...Respondents

For Petitioner : M/s.A.Ganesan

For Respondent : Mr.R.S.Selvam
Government Advocate

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondent to conclude the disciplinary proceedings on the charge memo issued against the petitioner in Memo No.3117/A2/2012 dated 22.04.2014, pending with him and pass final orders thereon within a reasonable time as deem fit by this Honourable Court.

O R D E R

This writ petition has been filed seeking direction to the respondent to conclude the disciplinary proceedings initiated against the petitioner in respect of the charge memo dated 22.04.2014.

2. The petitioner was issued with a charge memo dated 22.04.2014 under rule 17(b) of the Tamil Nadu Civil Service (Discipline and Appeal) Rules. On 18.04.2015, the Transport Commissioner appointed enquiry officer to enquire on the charges against the petitioner. The petitioner was suspended from service on 30.05.2014 and he was not permitted to retire. However, as no final orders are passed, the petitioner approached the respondent by a representation dated 16.05.2018, which also did not evoke any response. Hence the writ petition.

3. Mr.R.S.Selvam, learned Government Advocate takes notice for the respondents.

4.Keeping the enquiry pending for 4 years, especially even after the period of superannuation of the petitioner is illegal.

4.1. In the above circumstances, this writ petition is disposed of directing the respondent to conclude the

disciplinary proceedings on the charge memo issued against the petitioner in Memo dated 22.04.2014, within a period of one month from the date of receipt of a copy of this order and pass order final orders, within a period of four weeks thereafter. No costs.

Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

Kst

To

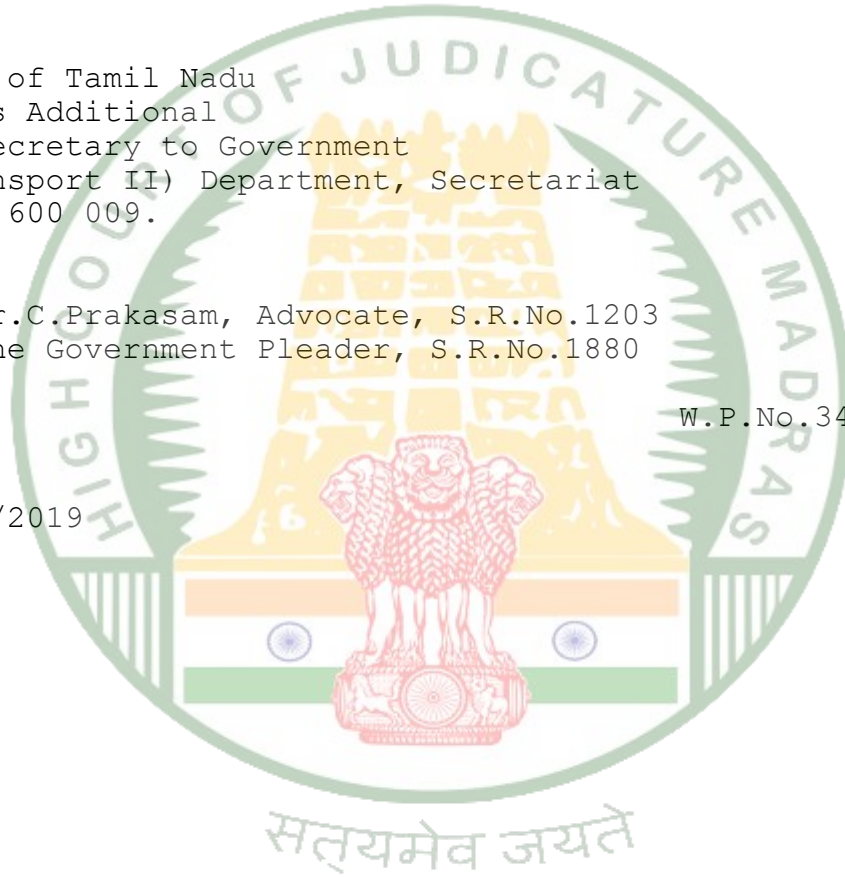
The State of Tamil Nadu
rep.by its Additional
Chief Secretary to Government
Home (Transport II) Department, Secretariat
Chennai - 600 009.

+lcc to Mr.C.Prakasam, Advocate, S.R.No.1203
+lcc to the Government Pleader, S.R.No.1880

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AD(CO)

rrs 20/02/2019



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