



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.06.2019

CORAM:

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P. (MD) Nos.13612 to 13619 of 2019

and

W.M.P (MD) Nos.10163 to 10170 of 2019

S.Sudha	...	Petitioner in WP(MD). 13612/ 2019
J.Ganesh Kumar	...	Petitioner in WP(MD). 13613/ 2019
B.Radha	...	Petitioner in WP(MD). 13614/ 2019
V.Chitra	...	Petitioner in WP(MD). 13615/ 2019
R.Selvakumar	...	Petitioner in WP(MD). 13616/ 2019
V.Pitchai Muthu	...	Petitioner in WP(MD). 13617/ 2019
S.Kavitha	...	Petitioner in WP(MD). 13618/ 2019
S.Ravikumar	...	Petitioner in WP(MD). 13619/ 2019

VS

The Joint Director of School Education (Personal),
O/o.The Director of School Education,
DPI Complex,
College Road,
Chennai-6

2. The Chief Educational Officer
O/o. Chief Educational Office,
Karur,
Karur District

3. The Enquiry Officer/ Chief Educational Officer,
O/o. the Chief Educational Office,
Erode-638001,
Erode District

... Respondents in all WPs

Common Prayer in WP(MD). Nos. 13612 to 13619 of 2019 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court To issue a Writ of Mandamus, to direct the respondent to furnish the list of documents and witnesses sought for by the petitioner in respect of the disciplinary proceedings initiated in pursuant to the charge memo issued by the 1st respondent. No. Ka.No.07504/C4/E3/2016 dated 24.03.2016 and thereafter proceed with the enquiry and conclude the same.



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For Petitioners

: Mr.M.Ajmal Khan
Senior Counsel
for Ajmal Associates
(IN ALL CASES)

For Respondents

: Mrs.S.Srimathy
Special Government Pleader
(IN ALL CASES)

C O M M O N O R D E R

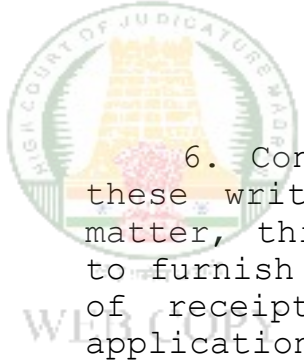
The issue involved in all the writ petitions are inter-linked and hence, all writ petitions are disposed of by this common order.

2. These writ petitions have been filed seeking to direct the respondents to furnish the list of documents and witnesses as such sought for by the petitioners, in respect of the disciplinary proceedings initiated in pursuant to the charge-memo issued by the first respondent and thereafter to proceed with the enquiry and conclude the same.

3. The learned counsel appearing for the petitioners would submit that the petitioners were working as Block Resource Teacher Educator in Karur District. While they were working, a charge-memo, dated 24.03.2016 came to be issued by the first respondent under Rule 17(b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules. In response to the charge memo, the petitioners have submitted their explanations refuting the allegations made against them. Thereafter, two Enquiry Officers were appointed and they have not concluded the enquiry. Now, the third Enquiry Officer, who is the third respondent, is appointed. Thereafter, the petitioners have submitted a letter requesting the Enquiry Officer to furnish the list of documents and witnesses, but the respondents have not furnished the documents and thereafter, the petitioners made representations to the respondents. So far, the respondents have not taken any action to conclude the disciplinary proceedings. On account of the pendency of the disciplinary proceedings, the petitioners right to be considered for promotion is being protracted.

4. The learned Special Government Pleader appearing for the respondents would submit that the third respondent is appointed as an Enquiry Officer and the enquiry will be conducted as per the procedure contemplated under the Rule and conclude the same as expeditiously as possible.

5. The learned counsel for the petitioners undertakes that the petitioners will make an application within one week from the date of receipt of a copy of this order.



6. Considering the limited scope of the relief sought for in these writ petitions and without going into the merits of the matter, this Court directs the petitioner to submit an application to furnish the copy of the documents, within one week from the date of receipt of a copy of this order and on receipt of such application, the third respondent/Enquiry Officer is directed to furnish the documents relied on by the respondent/department in support of the charge-memo and conclude the enquiry and submit the report as expeditiously as possible, preferably, within a period of three months from the date of serving documents to the petitioner and the first respondent shall pass final orders, within a period of one month thereafter. No costs. Consequently, connected miscellaneous petitions are also closed.

SD

ASSISTANT REGISTRAR (CS III)

TRUE COPY

SUB ASSISTANT REGISTRAR (CS)

am

To

1.The Joint Director of School Education (Personal),
DPI Complex, College Road,
Chennai-600 006.

2.The Chief Educational officer,
Karur, Karur District.

3.The Enquiry Officer/Chief Educational Officer,
Erode-638 001,
Erode District.

1CC TO THE SPL GOVT PLEADER SR 69745

8 CC'S TO MR. AJMAL KHAN, ADVOCATE SR 70190 TO 70197

ES

10/07/2019

3P 13C

W.P. (MD) Nos.13612 to 13619 of 2019

18.06.2019