



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.04.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.7891 of 2019

S.Balasubramanian

... Petitioner

Vs.

1.The District Collector,
Sivagangai District,
Sivagangai.

2.The Revenue Divisional Officer,
Devakottai Division,
Sivagangai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the first respondent ie., the District Collector, Sivagangai to pass appropriate orders in the disciplinary action initiated against the petitioner in Collector's memo No.A8/52391/2005, dated 21.02.2009 and memo No.A8/44262/2001(2), dated 29.09.2010, within the specified time frame fixed by this Court.

For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.S.Angappan,
Government Advocate.

ORDER

This writ petition has been filed seeking to direct the first respondent to pass appropriate orders in the disciplinary actions initiated against the petitioner, dated 21.02.2009 and 29.09.2010, within the time frame fixed by this Court.

2.Heard the learned counsel appearing for the petitioner and Mr.S.Angappan, learned Government Advocate, who takes notice for the respondents. By consent, the writ petition is taken up for final disposal at the stage of admission itself.

3.The case of the petitioner is that he was serving as an Assistant in the respondent Office and he was not allowed to retire from service, in view of the pendency of disciplinary actions initiated against him by the first respondent.

4.It is submitted by the learned counsel appearing for the petitioner that right from the year 2009-2010, disciplinary proceedings were initiated and all the processes were over, but final orders are yet to be passed. Hence, he seeks appropriate directions to the first respondent.



5. The learned Government Advocate appearing for the respondents fairly submitted that the first respondent would pass final orders in the disciplinary proceedings initiated against the petitioner, if not already passed, on merits and as per law.

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6. In view of the above, this Court, without going into the merits of the case, directs the first respondent to pass final orders, if not already passed, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner. Such an exercise shall be completed within a period of four weeks from the date of receipt of a copy of this order.

7. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar(CS)

To

1. The District Collector,
Sivagangai District,
Sivagangai.

2. The Revenue Divisional Officer,
Devakottai Division,
Sivagangai District.

+1 CC to M/s.S.VISVALINGAM, Advocate (SR-58503[F] dated
03/04/2019)

+1 CC to M/s.SPL GP (SR-59245[F] dated 05/04/2019)

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KK:03/05/2019/2P/5C