



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 18.07.2019
CORAM
THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

WEB COPY

W.P. (MD) No.15939 of 2019
and
W.M.P. (MD) No.12652 of 2019

K.Sarumathy

...Petitioner

Vs.

1.The State of Tamil Nadu,
represented by its Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai - 9.

2.The Director of Rural Development and Panchayat Raj,
Directorate of Rural Development and Panchayat Raj,
Chennai - 600 015.

3.The District Collector,
Pudhukkottai District,
Pudhukkottai.

4.The Commissioner for Disciplinary Proceedings,
Tribunal for Disciplinary Proceedings,
Old Collectorate Building,
Trichy - 1.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the fourth respondent to conclude the disciplinary proceedings initiated in pursuant to the charge memo in TDP case No.3 of 2012 dated 09.04.2012 issued by the fourth respondent within the period that may be stipulated by this Court.

For Petitioner : Mr.Mohammed Imran for
M/s.Ajmal Associates

For Respondents : Mr.A.Muthukaruppan
Additional Government Pleader

ORDER

This writ petition has been filed to direct the fourth respondent to conclude the disciplinary proceedings pending against the petitioner.



2.Mr.A.Muthukaruppan, learned Additional Government Pleader takes notice for the respondents. By the consent of both parties, the writ petition is taken up for disposal at the admission stage itself.

3.According to the petitioner, her date of superannuation fell on 30.04.2019 and she was placed under suspension on 29.04.2019 ie., 1 day prior to her retirement. Thereafter, a charge memo dated 09.04.2012 was issued to her by the fourth respondent and in pursuance to the said charge memo, an enquiry was conducted. After receiving the enquiry report, the second respondent issued a show cause notice to the petitioner on 09.03.2018. On such show cause notice, the petitioner submitted her explanation on 19.04.2018. However, no further action is taken so far till date and the disciplinary proceedings pending against the petitioner is not yet concluded. Hence, the petitioner is before this Court for the relief stated supra.

4.The learned Additional Government Pleader appearing for the respondents would submit that if there is no legal impediment, the disciplinary proceedings pending against the petitioner will be concluded by the fourth respondent within a time frame to be fixed by this Court.

5.Recording the said submission made by the learned Additional Government Pleader appearing for the respondents, without expressing any opinion on the merits of the claim made by the petitioner, this Court directs the respondent to conclude the departmental disciplinary proceedings pending against the petitioner with regard to the charge memo in TDP Case No.3 of 2012 dated 09.04.2012 and take a decision within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner is also directed to co-operate for enquiry.

6.With the above direction, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-II)

/ True Copy /

Sub Assistant Registrar(CS-)

To

1.The Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai - 9.

2.The Director of Rural Development and Panchayat Raj,
<https://hcservices.ecourts.gov.in/hcservices/>
Directorate of Rural Development and Panchayat Raj,
Chennai - 600 015.



3.The District Collector,
Pudhukkottai District,
Pudhukkottai.

4.The Commissioner for Disciplinary Proceedings,
Tribunal for Disciplinary Proceedings,
Old Collectorate Building,
Trichy - 1.

+1 CC to M/s.SPL GP (SR-76324[F] dated 19/07/2019)

+1 CC to M/s.AJMAL ASSOCIATES,Advocate(SR-76464[F] dated 19/07/2019)

mm

W.P. (MD) No.15939 of 2019

ES/30.07.2019/3P/7C