



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE **D. KRISHNAKUMAR**

W.P(MD)No.17001 of 2019

WEB COPY

K. Karuppasamy

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Sivagangai District.

2.The Special Officer,
The Block Development Officer (Village Panchayat),
Manamadurai Panchayat Union,
Manamadurai Taluk,
Sivagangai District.

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 2nd respondent to conclude the disciplinary proceedings initiated against the petitioner in pursuance to the charge memo in Na. Ka. Pa. Pi4 / 1154/2011, dated 06.03.2012 passed by the second respondent within the time stipulated by this Court.

For Petitioner : Mr. I. Pinaygash

For R1 : Mr.M. Pandiarajan
Additional Government Pleader

For R2 : Mr. R. Murugan
Government Advocate

ORDER

This writ petition has been filed for issuing a direction to the 2nd respondent to conclude the disciplinary proceedings initiated against the petitioner in pursuance to the charge memo in Na. Ka. Pa. Pi4 / 1154 / 2011, dated 06.03.2012 within the time frame to be fixed by this Court.

2. According to the petitioner, he was appointed as Panchayat Secretary at Kattikulam Village Panchayat, Manamadurai Taluk, Sivagangai District and subsequently, he was not allowed to continue as Panchayat Secretary by the second respondent from the year 2012 by its oral order, without any reasons. Therefore, the petitioner has made a representation to 2nd respondent in person and requested them to allow him to continue in service as Panchayat Secretary, but, the same has not been considered by the 2nd respondent. The second respondent issued a notification in the month of April 2018 for filling up the vacancy post of Panchayat



Secretary for Kattikulam Village, Manamadurai Taluk, Sivagangai District. Challenging the aforesaid notification, the petitioner has filed the Writ Petition in W.P(MD).No.9945 of 2018 before this Court and this Court has granted interim order by directing the respondent to proceed with the selection process, but, the final appointment order shall not be issued pending Writ Petition. Now, the second respondent has issued a charge memo, dated 06.03.2012 and the same is still pending.

3. Heard the learned counsel appearing on either side and perused the materials available on record.

4. In such view of the matter, the issue cannot be kept in for a long time. Hence, in the interest of justice, this Court, directs the 2nd respondent to conclude the disciplinary proceedings on the charge memo, dated 06.03.2012 and pass appropriate orders on merits and in accordance with law, as expeditiously as possible, in any event, not later than 12 weeks from the date of receipt of a copy of this order, after providing an opportunity of hearing to the petitioner as well as the other necessary parties concerned.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

trp

To

1.The District Collector,
Collectorate,
Sivagangai District.

2.The Special Officer,
The Block Development Officer (Village Panchayat),
Manamadurai Panchayat Union,
Manamadurai Taluk,
Sivagangai District.

+1 CC to M/s.SPL GP (SR-80597[F] dated 08/08/2019)

+1 CC to M/s.I.PINAYGASH, Advocate (SR-80657[F] dated 08/08/2019)

W.P (MD) No.17001 of 2019
07.08.2019

KK/SAR/30.08.2019/2P-5C/

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