



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **09.08.2019**

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P. (MD) No.17567 of 2019

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S.Saraswathi

... Petitioner

Vs.

1.The Deputy Commissioner (State Taxes),
Commercial Tax Office,
CT Buildings,
A.R.Lane,
Palayamkottai,
Tirunelveli 627 002.

2.The State Tax Officer,
O/o. the State Tax Officer,
Commercial Tax Department,
Sankarankovil,
Sankarankovil Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the first respondent to complete the proceedings in ROC A1/638/2018 dated 17.09.2018 and pass orders, within a time frame as fixed by this Court.

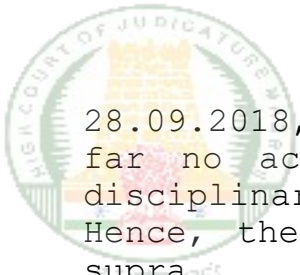
For Petitioner : Mr.P.Santhana Krishnan
For Respondents : Mr.Aayiram K.Selvakumar
Additional Government Pleader

ORDER

This Writ Petition has been filed to direct the first respondent to complete the proceedings in ROC A1/638/2018 dated 17.09.2018.

2.Mr.Aayiram K.Selvakumar, learned Additional Government Pleader takes notice for the respondents. By consent, this writ petition is taken up for final disposal at the admission stage itself.

3.According to the petitioner, she was working as Typist in the office of the second respondent. Based on the complaint given by one Deivakkannu, a case in Cr.No.97 of 2018 for the offences punishable under Sections 406, 420 and 506(ii) IPC, has been registered against her. Pursuant to the said criminal case, by order dated 19.02.2018, she was placed under suspension by the first respondent and while she was under suspension, the first respondent issued a charge memo dated 17.09.2018, against her. For the said charge memo, on



28.09.2018, she sent a representation to the first respondent. So far no action has been taken by the first respondent and the disciplinary proceedings pending against her is not yet concluded. Hence, the petitioner is before this Court for the relief stated supra.

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4.The learned counsel appearing for the petitioner would submit that the said criminal case is a false one and the dispute between the petitioner and the complainant is purely a private dispute and there is no connection with the said criminal complaint for discharging the duties of the respondents.

5.The learned Additional Government Pleader appearing for the respondents would submit that the disciplinary proceedings pending against the petitioner will be concluded by the first respondent, within a time frame to be fixed by this Court.

6.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 first respondent to conclude the departmental disciplinary proceedings pending against the petitioner and take a decision, within a period of six months from the date of receipt of a copy of this order after following the procedures as contemplated under law.

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

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

1.The Deputy Commissioner (State Taxes),
Commercial Tax Office,
CT Buildings,
A.R.Lane,
Palayamkottai,
Tirunelveli 627 002.

2.The State Tax Officer,
O/o. the State Tax Officer,
Commercial Tax Department,
Sankarankovil,
Sankarankovil Taluk,
Tirunelveli District.



+1 CC to Mr.P.SANTHANA KRISHNAN, Advocate (SR-81074[F] dated 09/08/2019)

+1 CC to SPL GP., SR-81510, SR-81484

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