



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2019

CORAM:

THE HONOURABLE MR.JUSTICE D. KRISHNAKUMAR

WEB COPY

W.P(MD).No. 18038 of 2019

K. Sankarasekaran : Petitioner
Vs.

1. The District Collector,
Office of the District Collector,
Dindigul.

2. The Enquiry officer/Sub-Collector,
Palani, Dindigul District.

: Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India for issuing a **Writ of Mandamus**, directing the first respondent to pass final order, based on the enquiry report submitted by the second respondent in the enquiry proceedings initiated against the petitioner, vide charge memo No.13534/2016/A1, dated 04.01.2017, within time stipulated by this Court.

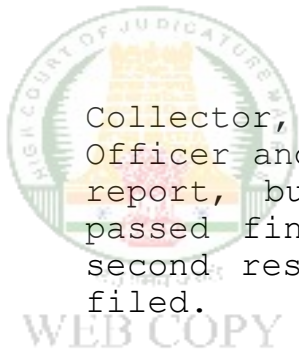
For Petitioner : Mr.J. Lawrance
For Respondents : Mr.M. Pandiyarajan,
Additional Government Pleader

ORDER

This Writ Petition has been filed seeking for a direction to the first respondent to pass final order in the enquiry Proceedings initiated against the petitioner, vide Charge Memo No.13534/2016/A1, dated 04.01.2017, within the time stipulated by this Court.

2. Mr.M. Pandiyarajan, Additional Government Pleader takes notice for the respondents. By consent of both parties, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. The learned counsel appearing for the petitioner would submit that the petitioner is now working as Manager, TASMAG Godown, Dindigul and When he was working as Hozur Sheristadar/Manager (General) under the first respondent/District Collector, Dindigul, the first respondent has framed charges under Section 17(b) of the Tamilnadu Civil Services (Discipline and Appeal) Rules and issued a Charge Memo vide Proceedings in Na.Ka.No.13534/2016/A1, dated 04.01.2017. He would further submit that second respondent/Sub-



Collector, Palani, Dindigul District was appointed as Enquiry Officer and concluded departmental enquiry and submitted the enquiry report, but, the first respondent/Disciplinary Authority has not passed final order based on the enquiry report submitted by the second respondent till date. Hence, the instant writ petition is filed.

4. Though this petition has been filed to give a positive direction to the respondents, the learned counsel appearing for the petitioner made a statement before this Court that it is sufficient to direct the first respondent to complete the enquiry, within the time stipulated by this Court.

5. In the light of the submission made by the learned counsel appearing for the petitioner and by considering the limited scope of the prayer of the petitioner, this Court, without expressing any opinion on the merits of the petitioner case, this Court directs the first respondent to consider the petitioner's representation, dated 07.09.2018 and pass appropriate order on merits and in accordance with law, based on the enquiry report submitted by the second respondent, within a period of Twleve (12) weeks from the date of receipt of copy of the order.

6. With the above directions, this Writ Petition is disposed of. No Costs.

Sd/-

Assistant Registrar (CS-II)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The District Collector,
Office of the District Collector,
Dindigul.
2. The Enquiry officer/Sub-Collector,
Palani, Dindigul District.

+1 CC to Mr.J.LAWRANCE, Advocate SR-82697.
+1 CC to SPL GP SR-83227.

WP(MD) .No. 18038 of 2019
20.08.2019

CS(19.09.2019) 2P 5C