



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.09.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.19783 of 2019

K.Sankarasekaran

... Petitioner

Vs.

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

... Respondent

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the Respondent herein to conclude the Enquiry Proceedings initiated against the petitioner vide Charge Memo in Na.Ka.No.2160/2016/A1, dated **(*)29.01.2016**, within the time stipulated by this Court.

For Petitioner : Mr.J.Lawrance

For Respondents : Mr.S.Dhayalan,
Government Advocate

ORDER

The petitioner filed the present writ petition, directing the Respondent to conclude the Enquiry Proceedings initiated against the petitioner, vide Charge Memo in Na.Ka.No.2160/2016/A1, dated **(*) 29.01.2016**.

2.Mr.S.Dhayalan, learned Government Advocate 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 petitioner was issued with charge-memo, dated 29.01.2016. He submitted his explanation on 11.02.2016. The respondent by the proceedings dated 08.03.2016, appointed one Thiru.I.Johnson, District Supply and Consumer Protection Officer, Dindigul as Enquiry Officer. He issued notice to the petitioner for his appearance on 20.07.2016, for enquiry. The petitioner appeared for enquiry and the enquiry was adjourned on 05.05.2017. But on 05.05.2017, there was no enquiry and thereafter, also the enquiry was not proceeded further as the Enquiry Officer was retired from



service.

4.The learned counsel for the petitioner contended that the respondent had not appointed any Enquiry Officer and there is no progress in the enquiry from 2017. Due to the pendency of the disciplinary proceedings, the petitioner was not considered for promotion and for other benefits. For the above reason, the petitioner has come out with the present writ petition. According to the petitioner, on 05.05.2017 the petitioner appeared before the Enquiry Officer and there was no enquiry conducted on that date and subsequently also, there was no enquiry, since the Enquiry Officer Thiru.I.Johnson was retired and the enquiry is kept pending from 2017.

5.Considering the above submission and the limited relief sought for by the petitioner to conclude the enquiry proceedings initiated against him vide charge memo, dated **(*)29.01.2016**, the respondent is directed to appoint an Enquiry Officer forthwith, if not already appointed and conclude the enquiry, within a period of six months from the date of receipt of a copy of this order. The petitioner is directed to co-operative with the enquiry.

6. With the above direction, the writ petition is allowed. No costs.

Sd/-

Assistant Registrar

(*) AMENDED AS PER ORDER OF THIS COURT MADE IN WP(MD).19783 OF 2019 VIDE ORDER DATED 22.11.2019 UNDER THE CAPTION OF FOR BEING MENTIONED.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

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To

(*) TO BE SUBSTITUTED THE ORDER ALREADY DESPATCHED ON 14.10.2019

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

+1 CC to M/s.J.LAWRANCE, Advocate (SR-87187[F] dated 17/09/2019)

+1 CC to M/s.SPL GP (SR-87256[F] dated 17/09/2019)

W.P. (MD) No.19783 of 2019

16.09.2019

JMN(03.10.2019) 2P : 4C

TR(25.11.2019) 2P 4C