



**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 05.11.2019**

**CORAM:**

**THE HONOURABLE MS.JUSTICE V.M.VELUMANI**

**W.P. (MD) No.23203 of 2019**

R.Shanmugamani

... Petitioner

-Vs-

1.The Secretary to Government  
Housing & Urban Development Department  
Government of Tamil Nadu  
Secretariat, Chennai 600 009

2.The Director of Town & Country Planning  
No.807, Anna Salai  
Chennai 600 002

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent herein to pass final orders with regard to the disciplinary proceedings in its letter No.10865/UD2-1/2010-3 dated 05.08.2011 in connection with charge memo in Roc.No.13664/2006/K1, dated 27.06.2006 initiated by the 2<sup>nd</sup> respondent within the time stipulated by this Court.

For Petitioner : Mr.P.Mahendran

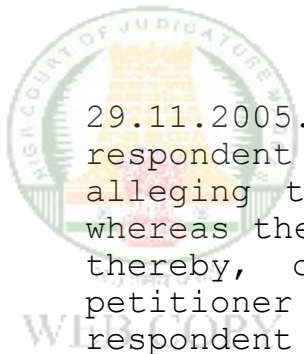
For Respondents : Mr.S.Dhayalan  
Government Advocate

**ORDER**

The Writ petition has been filed for a direction to the first respondent herein to pass final orders with regard to the disciplinary proceedings in its letter No.10865/UD2-1/2010-3 dated 05.08.2011 in connection with charge memo in Roc.No.13664/2006/K1, dated 27.06.2006 initiated by the 2<sup>nd</sup> respondent, within a stipulated time to be fixed by this Court.

2. Mr.S.Dhayalan, learned Government Advocate takes notice on behalf of the respondents. By consent of parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.The petitioner was initially appointed as Surveyor in the Town Planning Department, Chennai, on 20.10.1969. Thereafter, he was promoted to the post of Joint Director of Town & Country Planning on



29.11.2005. While he was working as Joint Director, the first respondent issued a charge memo dated 27.06.2006, to the petitioner, alleging that he has given approval for a residential building, whereas the owner of the building constructed a commercial building, thereby, caused a loss of Rs.74,281/- to the Department. The petitioner submitted his explanation on 11.07.2006. The first respondent has appointed an Enquiry Officer on 07.07.2009 and after concluding the enquiry, a report was submitted by the Enquiry Officer on 21.04.2010 holding that the charges are not proved. Disagreeing with the findings of the Enquiry Officer, the first respondent issued second show cause notice on 05.08.2011 and the petitioner submitted his explanation on 23.08.2011. After receipt of the explanation, the first respondent has not passed any final order so far. Hence, the petitioner has come up with the present Writ petition.

4.Considering the nature of relief sought for in the Writ petition, without deciding the issue on merits, the first respondent is directed to pass final orders within a period of two months from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

msa

**To**

1.The Secretary to Government  
Housing & Urban Development Department  
Government of Tamil Nadu  
Secretariat, Chennai 600 009

2.The Director of Town & Country Planning  
No.807, Anna Salai, Chennai 600 002.

+1 CC to M/s.P.MAHENDRAN, Advocate ( SR-96156[F] dated 05/11/2019 )

+1 CC to M/s.SPL GP ( SR-96350[F] dated 06/11/2019 )

**W.P. (MD) No.23203 of 2019**

**05.11.2019**