

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH
W.P.No.852 of 2020

P.Rajendran

...Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Additional Secretary to Government,
Home (Transport - II) Department,
Secretariat, Chennai 600 009.
2. The Commissioner of Disciplinary Proceedings,
Tribunal for Disciplinary proceedings,
Tiruchirapalli ..Respondents

Prayer:- Writ petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to conclude the disciplinary proceedings pending against the petitioner in TDP Case No.15 in R.C.No.270/2006/A1, dated 29.06.2007 and pass final orders thereon by the 1st respondent within a specific period as deemed fit by this Court.

For Petitioner : Mr. A.Ganesan
For Respondents : Mr.P.S.Sivashanmuga Sundaram
Special Government Pleader

O R D E R

This writ petition has been filed for the issue of writ of Mandamus directing the respondents to conclude the disciplinary proceedings and to pass final orders within a period fixed by this Court.

2. The case of the petitioner is that he was working as a Motor Vehicles Inspector Grade II at Regional Transport Office, Thanjavur and he was served with a charge memo in year 2007 on certain delinquency. This charge memo was served on the petitioner along with ten other persons.

3. The petitioner approached this Court along with others, seeking to quash the charge memo and the said writ petition was allowed by this Court by a common order dated 14.09.2012. This order was taken on Appeal in WA MD No.582 to 586 of 2014 and the orders passed in the writ petition were set aside and the Writ Appeals were allowed. While allowing

the writ appeals, this Court directed the respondents to pass final orders, within a period of three months. This order was passed on 13.08.2018. Till date, no orders have been passed and the petitioner is about to retire in March 2020. Therefore, he has approached this Court seeking for appropriate directions.

4. Heard the learned counsel appearing for the petitioner and the learned counsel appearing for the respondents.

5. Taking into consideration the facts and circumstances of the case and also of the fact that the Division Bench of this Court has already directed the respondents to pass final orders in the disciplinary proceedings by fixing a time limit, this Court deems it fit to direct the 1st respondent to pass final orders in the disciplinary proceedings, strictly in accordance with law, within a period of four weeks from the date of receipt of copy of this order. The petitioner is directed to give fresh representation to the 1st respondent along with copy of this order, by making a copy to the 2nd respondent.

6. This writ petition is disposed of with the above directions. No costs.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To,

1.The Additional Secretary to Government of Tamil Nadu,
Home (Transport - II) Department,
Secretariat, Chennai 600 009.

2. The Commissioner of Disciplinary Proceedings,
Tribunal for Disciplinary proceedings,
Tiruchirapalli

+1cc to Mr.A.Ganesan, Advocate SR.No. 3071

+1 cc to Government Pleader Sr.No. 3939

W.P.No.852 of 2020

A.SK(30/01/2020)