

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.02.2020

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.2293 of 2020

K.Suriyakumari

Petitioner

vs.

1. The Additional Chief Secretary to Government (FAC)  
State of Tamil Nadu,  
Secretariat, Chennai.

2. The Principal Secretary  
/ Commissioner of Treasuries & Accounts,  
Chennai - 600 035.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to revoke the prolonged suspension order in G.O.(D) No.318 Finance (T&A-II) Department dated 29.11.2017 and permit the petitioner to retire from service and to sanction and provide all the retirement benefits to petitioner within stipulated time fixed by this Court by considering petitioner's representation dated 20.12.2019 and pass suitable orders.

For Petitioner : Mr.R.Manimaran

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

सत्यमेव जयते  
O R D E R

This writ petition has been filed for issuance of a writ of mandamus directing the respondents to revoke the suspension order passed against the petitioner by proceedings dated 29.11.2017 and to permit the petitioner to retire from service with all attendant benefits.

2.The case of the petitioner is that she was appointed as typist in the year 1991. Ultimately, she reached the position of Superintendent and was working in the Pay and Accounts Officer (North), Chennai. The 1<sup>st</sup> respondent initiated disciplinary proceedings against the petitioner and others and order of suspension was passed on 29.11.2017. The charge against the

petitioner is that, she has passed fraudulent bills of Integrated Child Development Scheme, Chennai, which has resulted in loss to the Government to the tune of Rs.44,92,189/-.

3.The 1<sup>st</sup> respondent issued another order on 30.11.2017 not allowing the petitioner to retire from service pending disciplinary proceedings. The petitioner approached this Court and filed W.P.Nos.916 & 917 of 2018 challenging the suspension order and the order not allowing the petitioner to retire from service. Both the writ petitions came to be dismissed by this Court by an order dated 12.01.2018.

4.The petitioner participated in the disciplinary proceedings and according to the petitioner, the enquiry has been completed in June 2019 itself and till today no final orders have been passed in the disciplinary proceedings. Therefore, left with no other option, the present writ petition has been filed before this Court seeking for appropriate directions.

5.Heard Mr.R.Manimaran, learned counsel appearing on behalf of the petitioner and Mr.P.S.Sivashanmuga Sundaram, learned Special Government Pleader appearing on behalf of the respondents.

6.Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the 1<sup>st</sup> respondent to complete the disciplinary proceedings and pass final orders within a period of 12 weeks from the date of receipt of copy of this order. It is seen from records that already this Court had directed the departmental proceedings to be completed within six months by an order dated 02.04.2019, made in W.P.No.7421 of 2019. In spite of this direction, the disciplinary proceedings have not been completed. Therefore, it is made clear that the time fixed by this Court in the present writ petition shall be strictly complied with without causing any further delay.

7.This writ petition is disposed of with the above directions. No Costs.

s/d-  
Assistant Registrar(CS V)

True Copy

Sub-Assistant Registrar

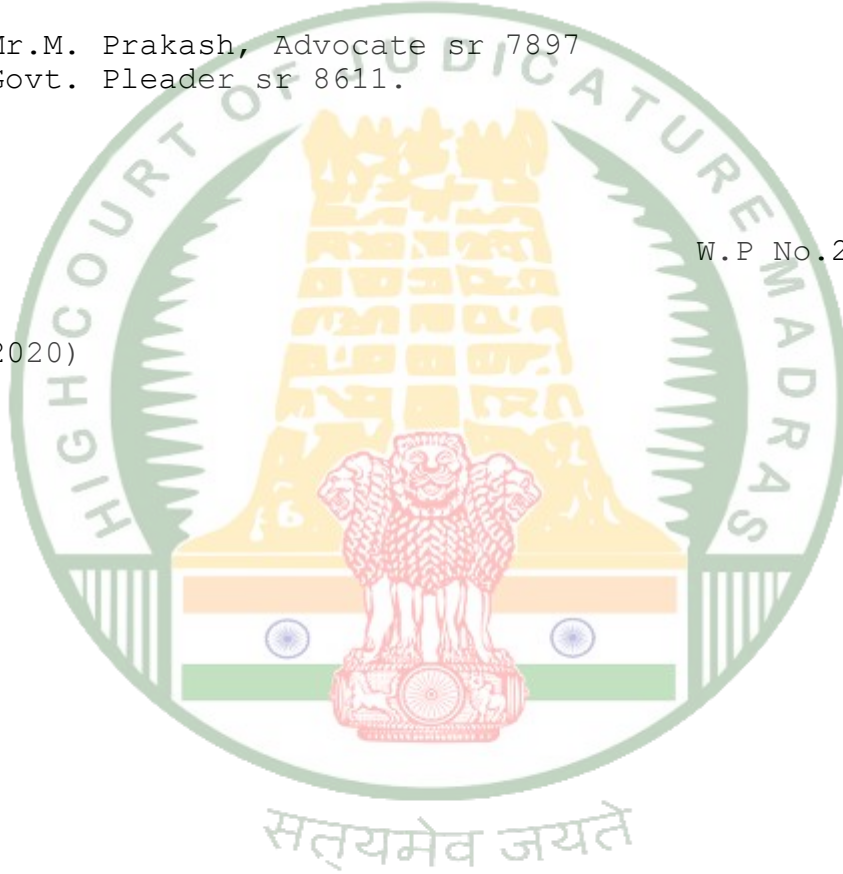
ssr  
To

1. The Additional Chief Secretary to Government (FAC)  
State of Tamil Nadu,  
Secretariat,  
Chennai.
2. The Principal Secretary  
/ Commissioner of Treasuries & Accounts,  
Chennai - 600 035.

+1 CC to Mr.M. Prakash, Advocate sr 7897  
+1 CC to Govt. Pleader sr 8611.

W.P No.2293 of 2020

SR(CO)  
SP(03/03/2020)



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