

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.10.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.28727 of 2013

and

M.P.No.1 of 2013

K.Chennamoorthy

...Petitioner

Vs.

1. The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.

2. The Tahsildar,
Dharmapuri.

...Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of certiorarified Mandamus, to call for the records relating to the impugned order made in Roc.No.5749/2011/A1 dated 30.09.2013 passed by the 1st Respondent and quash the same and consequently direct the 1st Respondent to allow the petitioner to retire from service with all attendant benefits.

For Petitioner : Mr.P.Ebenzer Paul

For Respondent : M/s.Thangavadana Balakrishnan
Additional Government Pleader

ORDER

The petitioner has come forward with the present writ petition, challenging the impugned order of suspension dated 30.09.2013 inflicted against him by the 1st respondent and consequently seeking a direction to the respondents to allow the petitioner to go on retirement and to pay consequential retirement benefits.

2.The petitioner was appointed as a Village Administrative Officer during the year 1984 and subsequently he was transferred to various places. While he was working as VAO Mittanoolahalli Village, Dharmapuri Taluk, he was placed under suspension by the 1st respondent by impugned proceedings dated 30.09.2013 since disciplinary proceedings and the charges of tampering the

revenue records of Virupachipuram Village, Dharmapuri Town relating to Survey No.627/6 in Patta No.1656, were pending against him and also a criminal case on the file of the District Crime Branch, Dharmapuri was pending. It is pertinent to note that the petitioner was placed under suspension on the date of his retirement i.e., 30.09.2013.

3.Though Mr.P.Ebenzer Paul, learned counsel appearing for the petitioner raised very many contentions assailing the suspension order which was issued on the verge of the retirement of the petitioner, this Court, without going into the merits or demerits of the case of the petitioner, feels it suffice to direct the respondents to conclude the disciplinary proceedings as early as possible in the interest of justice since the petitioner had already attained the age of superannuation.

4. In view of the above, the respondents are directed to proceed with the disciplinary proceedings which were already initiated against the petitioner and conclude the same within a period of six months from the date of receipt of copy of this order. It is needless to say that on conclusion of the disciplinary proceedings, the petitioner can work out his remedy in the manner known to law depending upon the outcome of the disciplinary proceedings.

5.With the above direction, this Writ Petition is disposed Of. Consequently, connected Miscellaneous Petition is closed. No Costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Revenue Divisional Officer,
Dharmapuri,
Dharmapuri District.

2. The Tahsildar,
Dharmapuri.

+1cc to M/s.P.Ebenezer Paul, Advocate, S.R.No.33628
+1cc to the Government Pleader, S.R.No.33856

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RSV(CO)
RV(18/12/2020)