

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE :17.09.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NOS.9044 OF 2015 & W.P.Nos.3182 of 2016, 32447 of 2017 &
7931 of 2018
and
MP.No.1 of 2015

W.P. No.9044 OF 2015

M.Manoharan

.. Petitioner

- Vs -

1.The Secretary to Government,
Revenue Department,
Secretariat, Chennai.

2.The Additional Chief Secretary cum Commissioner of
Revenue Department,
Ezhilagam, Chennai.

3.The District Collector,
Nagapattinam District,
Nagapattinam .

4.The District Revenue Officer,
Nagapattinam,
Nagapattinam District.

5.The Director of Vigilance and Anti Corruption,
Madras.

6.The Inspector of Police
Vigilance and Anti Corruption,
Nagapattinam, Nagapattinam District.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Certiorari, calling for the records relating to the file Na.Ka.26965/2009/A4 dt.29.10.2014 from the 3rd respondent and quash the same and pass such other relief.

WP.No.3182 of 2016

M.Manoharan

.. Petitioner

- Vs -

1 Government of Tamilnadu
rep. by its Chief Secretary,
Secretariat, Chennai-9.

2.The Secretary to Government,
Revenue Department,
secretariat, Chennai-9.

3.The Additional Chief Secretary cum Commissioner of
Revenue Department,
Ezhilagam, Chennai.

4.The District Collector,
Nagapattinam District,
Nagapattinam .

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus, directing the 3rd respondent to dispose of appeal filed on 05.12.2014 and 12.12.2014 and to pass an order on the appeal within stipulate time and grant such other relief's.

IN both WPs.

For Petitioner : Ms.Malarvizhi

For Respondents: Mr. A.N.Thambidurai, Spl.G.P. For R1

In WP.No.32447 of 2017

M.Manoharan

.. Petitioner

- Vs -

1.The Chief Secretary,
Govt. of Tamil Nadu,
Fort. St.George, Secretariat,
Chennai 600 009.

2.The Principal Secretary to Government,
Revenue Department, Fort. St.George,
secretariat, Chennai-9.

3.The Principal Secretary to Government,
Home Department, Fort. St.George,
secretariat, Chennai-9.

4.The Principal Secretary/Commissioner of
Revenue Administration, Ezhilagam,
Chepauk, Chennai-5.

5.The Secretary,
Tamil Nadu Revenue Official's Association,
38/2, Krishnappa Street, Chepauk,
Chennai 600 005.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus, directing the 1st respondent to take action against the 2nd and 3rd respondents for not considering the petitioner's representation dated 28/01/2015 and further to take action against the 4th respondent for not disposing the appeal petitions dated 05.12.2014 and 03.06.2017 which is pending

For Petitioner : Ms.Malarvizhi

For Respondents: Mr. A.N.Thambidurai, Spl.G.P. For R1

In WP.No.7931 of 2018

M.Manoharan

.. Petitioner

- Vs -

1.The Chief Secretary,
Govt. of Tamil Nadu,
Fort. St.George, Secretariat,
Chennai 600 009.

2.The Principal Secretary to Government,
Revenue Department, Fort. St.George,
secretariat, Chennai-9.

3.The Principal Secretary to Government,
Home Department, Fort. St.George,
secretariat, Chennai-9.

4.The Principal Secretary/Commissioner of
Revenue Administration, Ezhilagam,
Chepauk, Chennai-5.

5.The District Collector,
Collectorate,
Nagapattinam District,
Nagapattinam-611 003.

... Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Certiorarified Mandamus, calling for the records of the 4th respondent's memo in R.C.Ser.3(3)/50974/2014, dated 26.08.2017 and quash the same and directing the 1st respondent to take action against the 4th respondent for not disposing the appeals preferred by the petitioner dated 05.12.2014 as per the Rule 29(1)(V) CCS (CCA) Rules, 1965 U/s 17(b) of Tamil nadu Civil Services (Discipline Appeal) Rules and to implement the Hon'ble High Court Orders passed in W.P.No.22402/2011, dated 21.02.2012, Contempt Petition No.724/2013, dated 31.10.2013 and W.P.No.44173/2016, dated 02.01.2017.

For Petitioner : Ms.Malarvizhi

For Respondents: Mr.S.Thangavel, Spl.G.P. For R1

COMMON ORDER

As the issue involved in all the writ petitions revolve around a particular matter, they are disposed of by this common order.

2.On instructions from the client, who was personally available with the learned counsel throughout the Virtual Court proceedings, learned counsel appearing for the petitioner place her submissions before the Court.

3.Learned counsel appearing for the petitioner submitted that since the petitioner has already filed appeals before the 2nd respondent as against the order of termination, this Court may issue a direction to the second respondent in WP.No.9044/2015 to consider and dispose of the appeal within a reasonable time as fixed by this Court. Accordingly, he prays for a direction and further submitted in view of the said order, the other writ petitions viz., W.P.Nos 3182 of 2016, 32447 of 2017 & 7931 of 2018 may be closed in view of the order passed in in W.P. No.9044/15.

4.Learned Special Government Pleader appearing for the respondent has no serious objection for issuance of the said direction.

5. In view of the consent expressed by both sides, this Court without going into the merits of the issue, directs the 2nd respondent to dispose of the petitioner's appeal within a period of 3 months from the date of receipt of copy of this order.

6. W.P. No.9044/2015 is disposed of in the above terms. Consequently, W.P.Nos 3182 of 2016, 32447 of 2017 & 7931 of 2018 are closed. Consequently connected miscellaneous petitions are also closed. However there shall be no order as to costs.

Sd/-
Assistant Registrar (CS-VII)

//True copy//

Sub Assistant Registrar

jrs

To

1. The Chief Secretary,
Govt. of Tamil Nadu,
Fort. St. George, Secretariat,
Chennai 600 009.
2. The Vigilance Commissioner,
Vigilance & Anti Corruption,
Fort. St. George, Secretariat,
Chennai 600 009.
3. The Director of Vigilance and Anti Corruption,
Directorate,
No.293, M.K.N. Salai, Alandur,
Chennai 600 016.
4. The Additional Chief Secretary to Government,
Revenue Department,
Fort. St. George, Secretariat,
Chennai 600 009.
5. The Additional Chief Secretary/
Commissioner of Revenue Administration,
Ezhilagam, Chempauk,
Chennai 600 005.

6. The District Collector,
Collectorate,
Nagapattinam District,
Nagapattinam 611 003.
7. The Secretary to Government,
Revenue Department,
Secretariat, Chennai.
8. The District Revenue Officer,
Nagapattinam,
Nagapattinam District.
9. The Inspector of Police,
Vigilance and Anticorruption,
Nagapattinam, Nagapattinam District
10. The Secretary,
Tamil Nadu Revenue Officials Association,
38/2, Krishnappa Street,
Chepauk, Chennai-5.
11. The Principal Secretary to Government,
Home Department,
Fort. ST. George,
Secretariat, Chennai-9.

+1cc to Government Pleader SR.No.30504

W.P. NOs.9044 OF 2015 & W.P.Nos.3182 of
2016, 32447 of 2017 & 7931 of 2018
and MP.No.1 of 2015

LN(CO)
GMY(18/11/2020)