

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 18.08.2020

CORAM:

THE HON'BLE MR. JUSTICE V.PARTHIBAN

WP No.10611 of 2020

K.Venkatesan

.. Petitioner

Vs

The District Collector,
Thiruvannamalai District,
Thiruvannamalai.

.. Respondent

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus, directing the respondent to complete the Disciplinary Proceedings initiated in pursuant to the charge memo dated 29.01.2019 in ROC No.690/2019 of the respondent and pass final order on the same within the stipulated time prescribed by the Hon'ble Court.

For Petitioner : Mr.G.Elanchezhiyan

For Respondent : Mr.J.Ramesh,
Additional Government Pleader

O R D E R

The petitioner has approached this Court, seeking the following relief:

"To issue a Writ of Mandamus, directing the respondent to complete the Disciplinary Proceedings initiated in pursuant to the charge memo dated 29.01.2019 in ROC No.690/2019 of the respondent and pass final order on the same within the stipulated time prescribed by this Court."

2. The case of the petitioner is that he was selected through Tamil Nadu Public Service Commission and appointed to the post of Assistant in the Rural Development and Panchayat Raj Department in the Tamil Nadu Ministerial Service, Thiruvannamalai Region. He originally joined on 21.12.2012 and

his service was subsequently regularised with effect from the date of his appointment.

3. While the petitioner was working as Assistant in Arani Panchayat Union, he was issued with a charge memorandum by the District Collector, Thiruvannamalai on 29.01.2019 under Rule 17 (b) of Tamil Nadu Civil Services (Discipline & Appeal) Rules. Three articles of charges were framed against the petitioner.

4. According to the petitioner, though a request was made for furnishing of copies of the documents, relied on by him, the same was not furnished to him. However, in order to facilitate for early conclusion of disciplinary proceedings, the petitioner sent a detailed explanation on 20.01.2020, responding to the charge memorandum.

5. Despite the reply to the charge memorandum submitted on 20.01.2020, so far no progress has been made till date. Therefore, the petitioner is before this Court seeking direction to the respondent to complete the disciplinary proceedings initiated in pursuant to the charge memorandum dated 29.01.2019.

6. After notice, Mr.J.Ramesh, learned Additional Government Pleader entered appearance.

7. When the matter is taken up for hearing, today, the learned Additional Government Pleader would submit on instructions that a direction may be issued to the respondent to complete the disciplinary proceedings as prayed for by the petitioner within a period of eight weeks. According to the learned Additional Government Pleader, an enquiry officer has also been appointed and enquiry would also be completed within the time to be stipulated by this Court.

8. Considering the submissions as above and also considering the limited prayer that has been sought for in the writ petition,

"there shall be a direction to the respondent to expedite and complete the disciplinary proceedings initiated against the petitioner in pursuance of the charge memorandum dated 29.01.2019 within a period of eight weeks from the date of receipt of a copy of this order. It is also directed that the respondent shall conform to the established procedure in terms of rule

position in proceeding with the disciplinary proceedings and the conclusion thereof.”

9. The writ petition is disposed of, as above. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

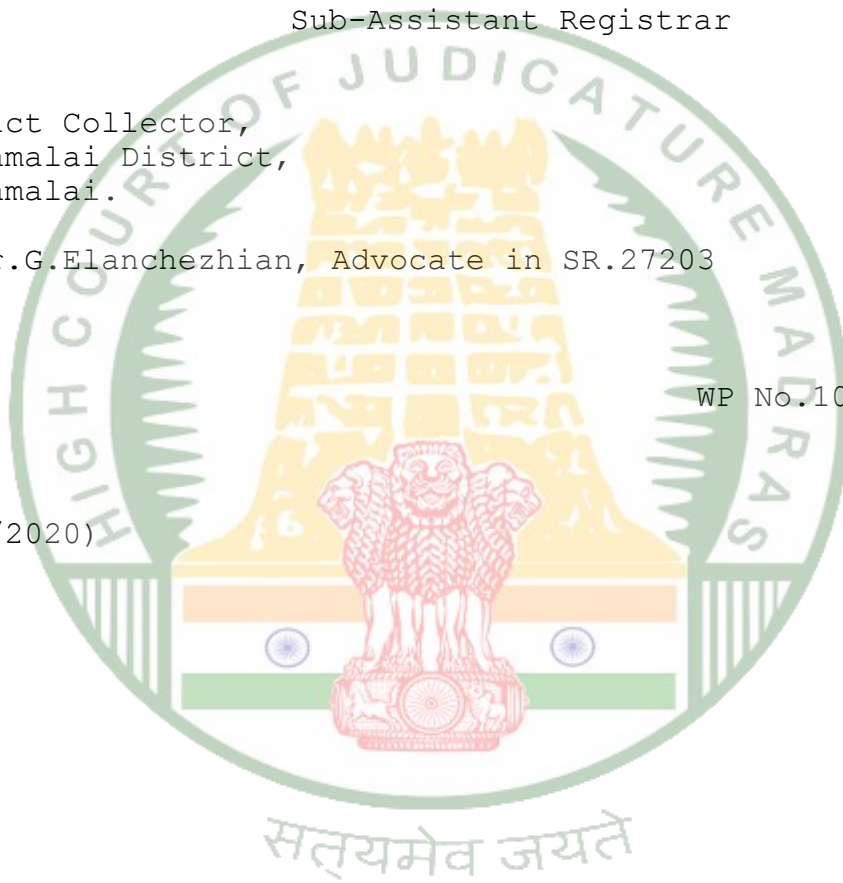
The District Collector,
Thiruvannamalai District,
Thiruvannamalai.

+1cc to Mr.G.Elanchezhian, Advocate in SR.27203

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RV (CO)

RV (16/09/2020)



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