

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2020

CORAM

THE HON'BLE MR. JUSTICE K.RAVICHANDRABAABU

W.P.No.11135 of 2020

and

W.M.P.Nos.13578 & 13579 of 2020

C.S.Justin Rajesh
S/o.A.Selvaraj
'Y' Block No.17
Raj Bhavan
Chennai-600 022.

.... Petitioner

vs

1. The Additional Chief Secretary to Governor
Raj Bhavan, Chennai-600 022.

2. The Deputy Secretary to Governor & Comptroller
Raj Bhavan, Chennai-600 022.

3. The Section Officer
Raj Bhavan, Chennai-600 022.

.... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorari, to call for the records relating to the impugned order dated 03.08.2020 in Ref.No.705/G2/2020 issued by the 2nd respondent and signed by the 3rd respondent and quash the same.

For Petitioner : Mr.V.R.Kamalanathan

For Respondents : Mr.V.Jayaprakash Narayanan
Government Pleader
Mr.R.Vijayakumar
Additional Government Pleader

O R D E R

This matter is taken up for hearing through Video Conferencing mode.

2. Mr.R.Vijayakumar, learned Additional Government Pleader takes notice for the respondents. By consent of both parties, the main writ petition is taken up for final disposal at the admission stage itself.

3. This writ petition is filed challenging the notice dated 03.08.2020, calling upon the petitioner to vacate the quarters occupied by him before 18.08.2020.

4. Heard Mr.V.R.Kamalanathan, learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Government Pleader for the respondents.

5. The petitioner was working as a House Keeper at Raj Bhavan. After initiating disciplinary proceedings against him, he was compulsorily retired by the order of the second respondent dated 03.06.2019. Challenging the said order, the petitioner is stated to have filed a statutory appeal on 30.06.2019. The present impugned notice is issued directing the petitioner to vacate the quarters occupied by him on or before 18.08.2020. The petitioner has already suffered an order of punishment of compulsory retirement. Unless and until the said order is stayed or set aside, the petitioner has no right to continue in the quarters. Therefore, I find no reason to interfere with the direction given to the petitioner to vacate the quarters in the impugned proceedings. However, considering the present pandemic situation, 15 days time granted to the petitioner seems to be very minimal for him to seek alternative accommodation. Therefore, only on the humanitarian ground, the petitioner is granted time till 30.11.2020 to vacate the quarters.

6. Accordingly, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS I)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

mk/vri

To

1. The Additional Chief Secretary to Governor
Raj Bhavan, Chennai-600 022.

2. The Deputy Secretary to Governor & Comptroller
Raj Bhavan, Chennai-600 022.

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3. The Section Officer
Raj Bhavan, Chennai-600 022.

+1 cc to M/s.V.R.Kamalanathan, Advocate Sr.No. 27286
+1 cc to The Government Pleader, Sr.No. 27352

W.P.No.11135 of 2020

AJS (CO)
RMP (01/09/2020)



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