



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.03.2020

CORAM:

THE HONOURABLE MR.JUSTICE **M.DHANDAPANI**

W.P. (MD) No.6021 of 2020

P.P.Sampath Kumar

... Petitioner

/vs./

1.The Agricultural Production Commissioner
and Principal Secretary to Government,
Agriculture Department, Secretariat,
Chennai-600 009.

2.The Director of Horticulture and Plantation Crops,
Chepauk,
Chennai-600 005.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents i.e., the Agricultural Production Commissioner and Principal Secretary to Government, Agriculture Department, Chennai and the Director of Horticulture and Plantation Crops, Chennai to dispose of all the five disciplinary actions i.e., 1.Charge Memo No.ஒநபி3/13864/2015, நாள்: 03.08.2015, 2.Charge Memo No.ஒநபி3/16031/2015, நாள்: 21.08.2015, 3.Charge Memo No.ஒநபி2/9493/2015 நாள்: 14.11.2018, 4.Charge Memo No.ஒநபி3/18277/2018, நாள்: 19.11.2018, and 5.Charge Memo No.ஒநபி3/19911/2015, நாள்: 19.11.2018, all initiated by the Director of Horticulture and Plantation Crops, Chennai, on merits and in accordance with law, within a specified time frame that may be fixed by this Court.

For Petitioner : Mr.S.Viswalingam

For Respondents : Mr.M.Raja Rajan

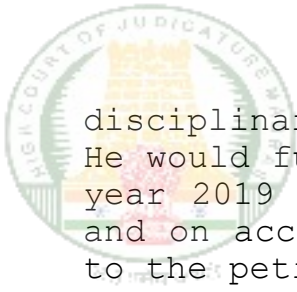
Government Advocate

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2. The case of the prosecution is that the petitioner was working as the Assistant Director of Horticulture, Manapparai Block, Tiruchirapalli District. He reached the age of superannuation on 30.11.2018. However, on the date of his retirement, certain disciplinary proceedings were pending against him. Hence, he was not allowed to retire and charge memos were issued against him. Even though the enquiry was completed in the year 2019, final orders are yet to be passed.

3. The learned counsel appearing for the petitioner would submit that the respondents are not justified in keeping



disciplinary actions indefinitely pending against the petitioner. He would further submit that though the enquiry was completed in the year 2019 itself, the second respondent is yet to pass final order and on account of this, his retiral benefits could not be disbursed to the petitioner.

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4. The learned Government Advocate appearing for the respondents would submit that the disciplinary proceedings initiated against the petitioner shall be completed within a period of twelve weeks.

5. Considering the facts and circumstances of the case and also considering the fact that the enquiry was completed in the year 2019, there will be a direction to the respondents to complete the enquiry and pass final orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above directions, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

tsg

To

1.The Agricultural Production Commissioner
and Principal Secretary to Government,
Agriculture Department, Secretariat,
Chennai-600 009.

2.The Director of Horticulture and Plantation Crops,
Chepauk, Chennai-600 005.

+1 CC to M/s.S.VISVALINGAM, Advocate (SR-12926[F]

W.P. (MD) No.6021 of 2020

24.03.2020

SMA/01/06/2020/2P/4C