



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

W.P.[MD]No.16979 of 2020

A.Ramakrishnan

... Petitioner

Vs.

1. The Principal Secretary and Commissioner of
Revenue Administration,
Ezhilagam,
Chepauk,
Chennai-600 005.

2. The District Collector,
Thoothukudi District,
Thoothukudi.

... Respondents

PRAYER : This Writ Petition is filed under Article 226 of Constitution of India for issuance of Writ of Mandamus, to direct the first respondent i.e., the Principal Secretary and Commissioner Revenue Administration, Chennai, to pass appropriate orders on the proposals sent by the District Collector, Thoothukudi in his letter No.RC.B1/79689/2009 dated 22.06.2020 within a specified time frame that may be fixed by this Court.

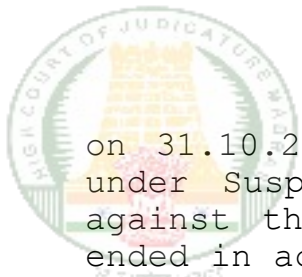
For Petitioner : Mr.S.Visvalingam

For Respondents : Mr.N.Shanmugaselvam
Additional Government Pleader

ORDER

This Writ Petition has been filed by the petitioner to direct the first respondent i.e., the Principal Secretary and Commissioner Revenue Administration, Chennai, to pass appropriate orders on the proposal sent by the District Collector, Thoothukudi in his letter No.RC.B1/79689/2009 dated 22.06.2020 within a specified time frame that may be fixed by this Court.

2.It is the contention of the petitioner that he was served as Village Administrative Officer, Thoothukudi and his superannuation



on 31.10.2006. However, he was not allowed to retire and placed under Suspension on the ground that a vigilance case registered against the petitioner is under trial. The above said case was ended in acquittal in Special Case No.2 of 2005 dated 06.05.2008 and subsequent to the acquittal in the criminal Court, on the same set of facts, a disciplinary action was initiated on 24.04.2009 and thereafter, there was no progress in the disciplinary proceedings. Hence, the petitioner sent several representations to the respondents to conclude the disciplinary proceedings. Thereby, the second respondent sent a communication dated 22.06.2020 to the first respondent for passing appropriate order on the recommendation stating that since 14 years have lapsed after superannuation and the petitioner has been under suspension for the past 14 years and therefore, no severe punishment is necessary in this case. He has requested the Commissioner of Revenue Administration to pass orders on the recommendation of the Sub Collector, Thoothukudi as per his letter No.R.C.B1/79689/2009 dated 22.06.2020. Though the said recommendation was forwarded by the District Collector to the first respondent on 22.06.2020, till date no action has been taken. Therefore, without any other options, the petitioner approaches this Court for appropriate orders.

3.On the other hand, the learned Additional Government Pleader appearing for the respondents would submit that till date, the disciplinary proceeding has not concluded. However, the recommendation of the District Collector dated 22.06.2020 will be considered by the first respondents on merits and in accordance with law.

4.Considering the fact that though the disciplinary action has been taken 14 years ago, there is no progress in the said disciplinary proceeding till date, this Court directs the first respondent to pass order on the recommendation sent by the District Collector, Thoothukudi, in his letter No.R.C.B1/79689/2009 dated 22.06.2020 within a period of twelve weeks from the date receipt of a copy of this order.

5.With the above direction, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2020

Sub Assistant Registrar (CS)

cp

<https://hcservices.ecourts.gov.in/hcservices/>



Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

WEB COPY

To:

1. The Principal Secretary and Commissioner of
Revenue Administration,
Ezhilagam,
Chepauk,
Chennai-600 005.
2. The District Collector,
Thoothukudi District,
Thoothukudi.

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