



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.10.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD).No.12881 of 2014

and

M.P. (MD) Nos.1 and 2 of 2014

WEB COPY

L.Devaraj

... Petitioner

-Vs-

1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of Adi Dravidar and
Tribal Welfare Department,
Fort St. George, Chennai-600 009.

2.The Director/Commissioner
Adi Dravidar and Tribal Welfare Department
Chepauk, Chennai-600 005.

3.The District Adi Dravidar and Tribal Welfare Officer
The District Collectorate,
Nagercoil, Kanyakumari District.

4.The Head Master,
Government Tribal Residential
Higher Secondary School,
Pechiparai,
Kanyakumari District.

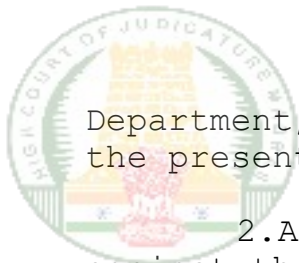
... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the impugned proceedings issued by the second respondent Director in R.C.No.G1/5812/2013, dated 08.03.2013 and the consequential proceedings in Na.Ka.No.A1/9488/2013, dated 31.05.2013, quash the same and further direct the respondents herein to permit the petitioner to retire from the service on superannuation on 31.05.2013 and to disburse the arrears of salary from 08.03.2013 and to release the pension and other terminal benefits from 01.06.2013.

For Petitioner	: Mr.Ragatheeshkumar for M/s.Isaac Chambers
For Respondents	: Mr.G.Arjunan Government Advocate

ORDER

The order of suspension, dated 08.03.2013 and the subsequent order passed by the Director of Adi Dravidar and Tribal Welfare
<https://hcservices.ecourts.gov.in/hcservices/>



Department, in proceeding, dated 31.05.2013, are under challenge in the present writ petition.

2. Admittedly, the disciplinary proceedings were initiated against the writ petitioner. The respected learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the respondents brought to the notice of this Court that the writ petitioner attained the age of superannuation on 31.05.2013. However, the disciplinary proceedings initiated against the writ petitioner is yet to be concluded. Due to the pendency of the disciplinary proceedings, the writ petitioner is unable to get his pensionary and other benefits.

3. Under these circumstances, the learned counsel for the petitioner made a submission that the disciplinary proceedings initiated and progressed in various stages must be concluded at the earliest possible so as to get the redressal from the departmental disciplinary proceedings.

4. At this length of time, this Court is not inclined to consider or adjudicate the merits and demerits of the allegations set out against the writ petitioner by the respondents. The parties to the lis on hand admitted that the departmental disciplinary proceedings are pending and yet to be completed. Thus, it is suffice, if a direction is issued to complete the proceedings. Accordingly, the respondents are directed to proceed with the departmental disciplinary proceedings by following the procedures contemplated and by affording opportunity to the writ petitioner and conclude the same as expeditiously as possible and preferably within a period of six months from the date of receipt of a copy of this order. The writ petitioner is directed to co-operate for the completion of the departmental disciplinary proceedings. If any non-cooperation is found on the side of the writ petitioner, then, it is to be recorded in the proceedings by the authorities competent.

5. With these directions, the writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sjj



To

1.The Secretary,
State of Tamil Nadu,
Department of Adi Dravidar and
Tribal Welfare Department,
Fort St. George, Chennai-600 009.

2.The Director/Commissioner
Adi Dravidar and Tribal Welfare Department
Chepauk, Chennai-600 005.

3.The District Adi Dravidar and Tribal Welfare Officer
The District Collectorate,
Nagercoil, Kanyakumari District.

4.The Head Master,
Government Tribal Residential
Higher Secondary School,
Pechiparai,
Kanyakumari District.

+1 CC to M/s.SPL GP (SR-19609[F] dated 09/10/2020)

+1 CC to M/s.ISAAC CHAMBERS, Advocate (SR-19375[F] dated 08/10/2020)

W.P. (MD) .No.12881 of 2014
07.10.2020

NS (CO)
KB(16.10.2020) 3P 7C