

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.NO.4343 OF 2021

S.Balathiripurasundari

... Petitioner

Vs.

1. The Secretary to Government,
Tamil Development & Information (S & P 1-1) Department,
Fort St. George,
Chennai 600 009.
2. The Director,
Directorate of Stationery & Printing,
110, Anna Salai,
Chennai 600 002.
3. The Additional Director,
Information & Public Relations Department,
Fort St. George,
Chennai 600 009.

.... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, to call for the records pertaining to the impugned order passed by the 2nd Respondent herein in his proceedings in Charge Memo Dir.No.R126638/2017-1, dated 01.02.2018 and quash the same and consequently direct the Respondents herein to promote the Petitioner as General Manager, Stationery and Printing Department from the date of promotion of her immediate junior with all consequential service and monetary benefits.

For Petitioner : M/s.G.Bala and Daisy
For Respondents: Mr.R.A.S.Senthilvel,
Addl. Government Pleader

O R D E R

Petitioner has come up with this Writ Petition seeking to quash the impugned order dated 01.02.2018 passed by the 2nd Respondent herein vide proceedings in Dir.No.R126638/2017-1, and for a consequential direction to the Respondents herein to promote her as General Manager, Stationery and Printing

Department from the date of promotion of her immediate junior with all consequential service and monetary benefits.

2. Learned counsel for the Petitioner submitted that, on the ground of pendency of Charge Memo, the Petitioner's promotion has not been considered.

3. Heard the learned counsel on either side and perused the material documents available on record.

4. It is seen that, the Petitioner has not at all taken a plea that, the Charge Memo was issued by the incompetent Authority or it is in violation of the statutory provisions. Hence, this Court is not inclined to grant the relief sought for by the Petitioner.

5. It is needless to mention that, enquiry proceedings shall go on, on a day-to-day basis without adjourning the matter beyond seven working days at any point of time. If the enquiry proceedings are already completed, a decision shall be taken by the Disciplinary Authority within a period of 45 days from the date of receipt of a copy of this order, after calling for comments of the Enquiry Officer, if not done earlier.

6. It is further made clear that, in case, the Petitioner is not imposed with any punishment or any punishment that may be imposed is not going to affect her promotion, the case of the Petitioner may be considered in accordance with the Rules, if there are no legal impediments.

In fine, the Writ Petition stands dismissed with the above direction and observation. No costs. Consequently, connected W.M.P.Nos.4941 and 4943 of 2021 are closed.

Sd/-

सत्यमेव जयते Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

(aeb)

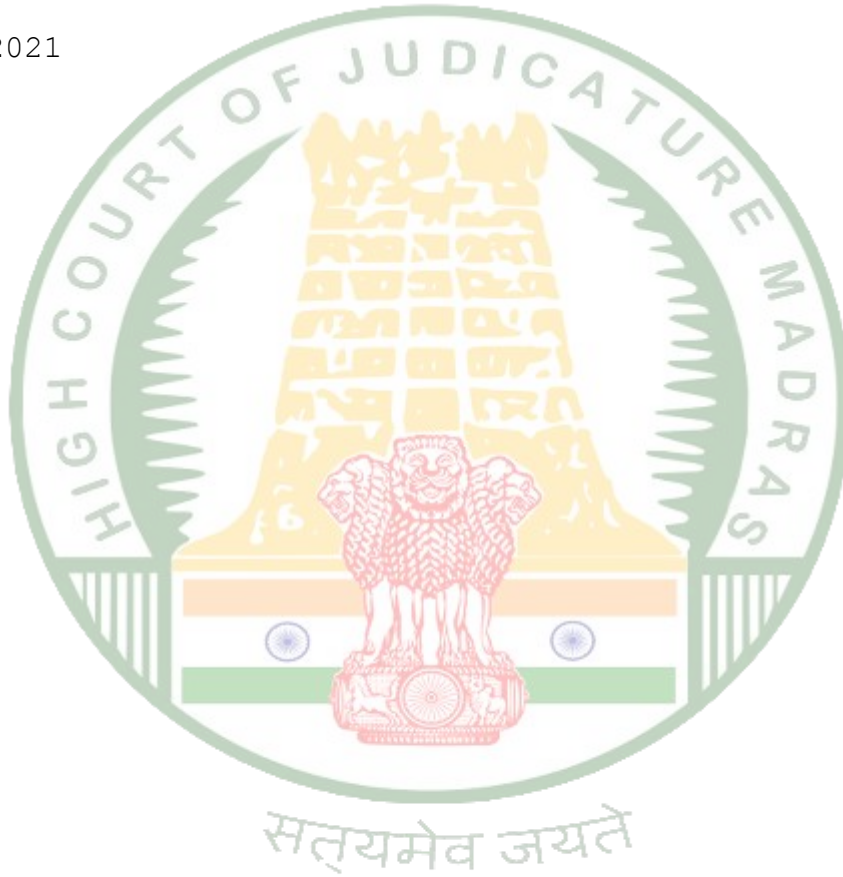
To:

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W.P.No.4343 of 2021

SRII (CO)
CS/16/03/2021



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