

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 10.02.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.2795 of 2021

B.Srinivasan

... Petitioner

Vs

1. The Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.
 2. The District Collector,
Chengalpattu District,
Chengalpattu.
 3. The District Revenue Officer,
Chengalpattu District,
Chengalpattu.
 4. The Revenue Divisional Officer,
Maduranthakam,
Chengalpattu District.
 5. The Tahsildar,
Maduranthakam Taluk,
Chengalpattu District.
- Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondents to pass final orders on the concluded enquiry conducted based on the charge memo issued by the 4th respondent in Na.Ka.(A).2014/2015, dated 28.01.2016 (sic.28.01.2015) based on the further explanation submitted by the petitioner dated 04.08.2017 and consequently directing the respondents to allow the petitioner to retire from service in the post of Village Administrative Officer, Pazhayalur Village, Maduranthakam Taluk, Chengalpattu District, with settlement of retirement benefits and regular pension with all consequential and other attendant service benefits, within a time frame to be fixed by this Court.

For Petitioner	: Mr.G.Sankaran
For Respondents	: Mr.J.Pothiraj, Special Government Pleader

O R D E R

This writ petition has been filed, seeking a direction to the respondents to pass final orders on the enquiry conducted based on the charge memo issued by the 4th respondent in Na.Ka.(A).2014/2015, dated 28.01.2016 (sic.28.01.2015).

2. By consent of both sides, the orders are passed in the writ petition. Mr.J.Pothiraj, learned Special Government Pleader takes notice for respondents.

3. It is the case of the petitioner that while he was working as Village Administrative Officer in Pazhayalur Village, and due to retire from service on reaching the age of superannuation on 11.01.2016, he was issued with show a cause notice under Rule 17 (a) of Tamil Nadu Civil Services (Discipline and Appeal) Rules. Though submitting his explanation, the 4th respondent issued a charge memo under Rule 17 (b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules on 28.01.2016 (sic.28.01.2015), followed by ordering not to retire from service and to suspend him. Thereafter, an enquiry has been conducted 18.05.2017 based on which, the charges were proved in July 2017. The petitioner submitted his further explanation on 04.08.2017. Since, no final orders are passed on the charge memo dated 28.01.2016 till date, the petitioner has approached this Court by way of filing writ petition.

4. In view of the limited prayer sought for by the petitioner, this Court directs the respondents to pass final orders based on the enquiry conducted on the Charge memo issued by the 4th respondent in Na.Ka(A).2014/2015, dated 28.01.2016, (sic. 28.01.2015) in accordance with law, after affording an opportunity of hearing to the parties concerned, as early as possible, preferably within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

vum

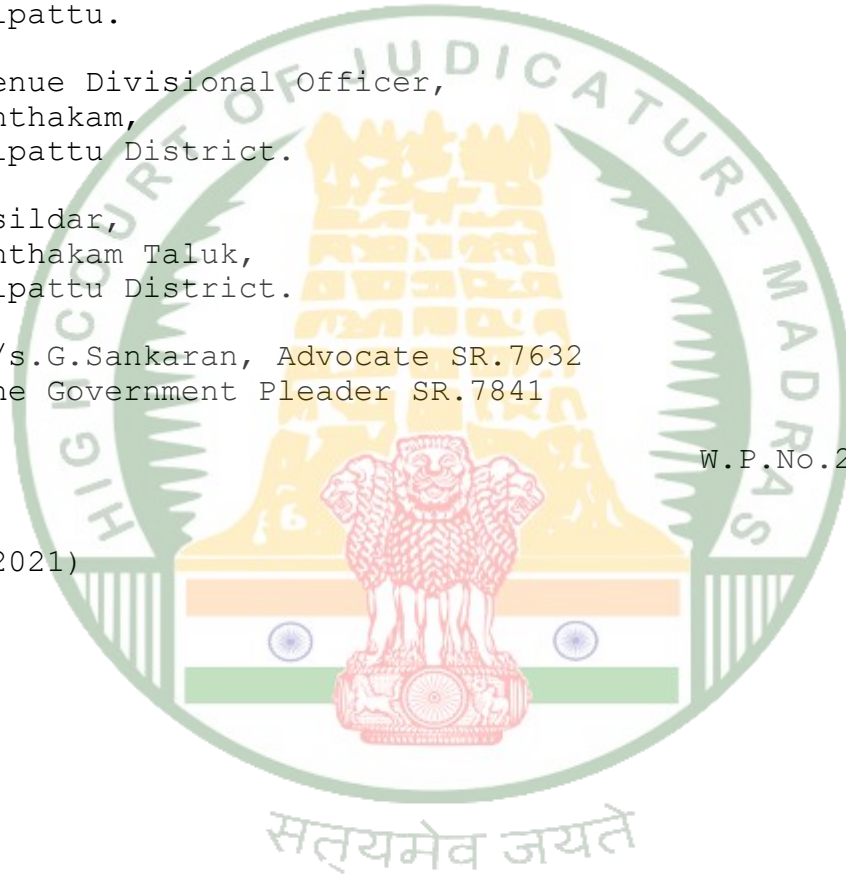
To:

- 1.The Commissioner of Revenue Administration,
Chepauk, Chennai - 600 005.
- 2.The District Collector,
Chengalpattu District,
Chengalpattu.
- 3.The District Revenue Officer,
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Chengalpattu.
- 4.The Revenue Divisional Officer,
Maduranthakam,
Chengalpattu District.
- 5.The Tahsildar,
Maduranthakam Taluk,
Chengalpattu District.

+1cc to M/s.G.Sankaran, Advocate SR.7632
+1cc to the Government Pleader SR.7841

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SMI (CO)
CB(10/03/2021)



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