



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 02.12.2021

CORAM:

THE HON'BLE MR. JUSTICE M.DURAISWAMY
AND
THE HON'BLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.A.No.2895 of 2021
and C.M.P.Nos.19503 & 19505 of 2021

M.Pushpalatha ... Appellant
Vs.

1.The District Collector,
Chingleput District, Chingleput.

2.The District Collector,
Kancheepuram District,
Kancheepuram.

3.The Commissioner of Revenue Administration,
Chepauk, Chennai - 5.

4.The Secretary to Government,
Revenue Department,
Fort St.George, Chennai - 9.

... Respondents

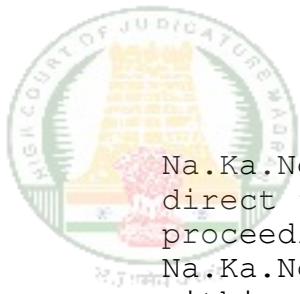
Appeal filed under Clause 15 of the Letters Patent against the order dated 03.03.2021 made in W.M.P.No.867 of 2021 in W.P.No.794 of 2021.

Prayer in W.M.P.No.867 of 2021:

To grant interim stay of all further proceedings in pursuance of the impugned orders issued by the 1st respondent in connection with the orders passed by him in Na.Ka.No.17036/A1/2018 dated 03/12/2020 and the consequential impugned charge memo issued by the 1st respondent in Na.Ka.No.17036/2018/A1/dated 03/12/2020 pending disposal of the writ petition No.794 of 2021.

Prayer in W.P.No.794 of 2021:

Writ Petition under Article 226 of the Constitution of India praying that in these circumstances stated therein and in the respective affidavits filed their with the High Court will pleased to issue a Writ of Certiorarified Mandamus or any other appropriate Writ or direction in the nature of writ calling for the records of the 1st respondent in connection with the impugned order passed by him in Na.Ka.No.17036/A1/2018 dated 03/12/2020 and the consequential impugned charge memo issued by the 1st respondent in



Na.Ka.No.17036/2018/A1 dated 03/12/2020 and quash the same and direct the respondent to proceed with the earlier disciplinary proceedings initiated against the petitioner in Na.Ka.No.17036/2018/A3 dated 10/11/2018 complete the same within the stipulated time and grant such other further relief in W.P.No.794 of 2021.

For Appellants : Mr.K.Venkataramani, Senior Counsel
for Mr.M.Muthappan

For Respondents : Mrs.Geetha Thamaraiselvan,
Special Government Pleader (R1 to R4)

JUDGMENT

(Judgment was delivered by M.DURAI SWAMY, J.)

Challenging the order passed in W.M.P.No.867 of 2021 in W.P.No.794 of 2021 dated 03.03.2021, the Writ Petitioner has filed the above Writ Appeal.

2.The appellant filed the Writ Petition to issue a Writ of Certiorarified Mandamus to call for the records of the 1st respondent in connection with the impugned order passed by him dated 03.12.2020 and the consequential impugned charge memo issued by the 1st respondent dated 03.12.2020 and to quash the same and direct the respondents to proceed with the earlier disciplinary proceedings initiated against the petitioner dated 10.11.2018, to complete the same within a time frame. The appellant has also filed a Miscellaneous Petition in W.M.P.No.867 of 2021 seeking for an order of interim stay of all further proceedings pursuant to the orders passed by the 1st respondent in connection with the orders passed by him on 03.12.2020 and the consequential impugned charge memo dated 03.12.2020.

3.The learned Single Judge, by order dated 03.03.2021, while ordering notice to the respondents directed the respondents to proceed with the enquiry initiated against the petitioner and further directed the respondents to keep the final orders in a sealed cover. The learned Single Judge had made it clear that the enquiry shall be proceeded on a day-to-day basis without adjourning the matter beyond seven working days at any point of time and no orders shall be communicated to the petitioner. The learned Single Judge had also made it clear that till final orders are passed by the Disciplinary Authorities, the petitioner cannot approach the Court to stall the proceedings.

4.Mr.K.Venkataramani, learned senior counsel appearing for the appellant submitted that the Writ Petition is still pending. The learned senior counsel submitted that though the learned Single Judge directed the Registry to list the Writ Petition for further hearing in the first week of April 2021, the Writ Petition has not yet been listed for hearing. The



learned senior counsel also submitted that the respondents have already filed their counter dated 29.01.2021 and the Writ Petitioner has also filed a reply affidavit dated 09.02.2021.

5. Since the appellant is challenging the interim order passed by the learned Single Judge, the issues now raised in the Writ Appeal can be decided by the learned Single Judge in the Writ Petition. Hence, we are not inclined to interfere with the interim order passed by the learned Single Judge.

6. The learned senior counsel for the appellant submitted that he would make a mention before the learned Single Judge for listing the Writ Petition for final hearing at an early date.

7. In view of the urgency expressed by the learned senior counsel, in the event of the learned senior counsel making a mention for listing the Writ Petition at an early date, it is open to the learned Single Judge to take up the matter early.

8. With these observations, as already stated, we are not inclined to entertain the Writ Appeal. Accordingly, the Writ Appeal is dismissed. No costs. Consequently, the connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

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To

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Chingleput District, Chingleput.
2. The District Collector,
Kancheepuram District, Kancheepuram.
3. The Commissioner of Revenue Administration,
Chepauk, Chennai - 5.
4. The Secretary to Government,
Revenue Department, Fort St. George, Chennai - 9.

+1cc to Mr. M. Muthappan, Advocate SR. No. 63418
+1cc to the Government Pleader SR. No. 63453

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