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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.08.2021

CORAM:

THE HONOURABLE MR.JUSTICE A.A.NAKKIRAN

W.P.No.16198 of 2021

[Video Conferencing]

R.S.Senthil Kumar

... Petitioner

vs.

1. The Director,
Directorate of Rural Development & Panchayat Raj,
Panagal Maligai,
Saidapet, Chennai - 15.

2. The District Collector,
Perambalur District,
Perambalur.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus, directing the 2nd respondent to conclude the disciplinary proceeding initiated in pursuant to the charge memo issued by the 2nd respondent in his proceedings e/f/vz;/3645/2019-1/gm6 dated 17.12.2019 within the period that may be stipulated by this Court and pass such further order or others may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.S.Mohamed Suhail

For Respondents : Mr.C.Kathiravan,
Government Advocate

ORDER

1. By consent of the learned counsel on either side, this writ petition is taken up for final disposal. The learned Government Advocate, takes notice on behalf of the respondents.
2. The writ petition has been filed to issue a writ of mandamus, directing the 2nd respondent to conclude the disciplinary proceeding initiated in pursuant to the charge memo issued by the 2nd respondent in his proceedings



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e/f/vz;/3645/2019-1/gm6, dated 17.12.2019, within a stipulated time.

3. The case of the petitioner is that the petitioner was appointed as Junior Assistant on 08.03.1999 at Veppur Panchayat Union at Perambalur District and thereafter, he was promoted as Assistant based on his unblemished service and further promoted as Deputy Block Development Officer on 24.06.2010. Pursuant to criminal case registered against the petitioner under Section 17 (b) of the Tamil Nadu Civil Servants (Discipline & Appeal) Rules, a charge memo was issued on 17.12.2019. The petitioner has send an explanation stating that refuting the allegation made against him on 29.01.2020 but the 2nd respondent has appointed an Enquiry Officer to enquire the charges against the petitioner and the enquiry was also conducted and the Enquiry Report was issued on 03.09.2020 and again the petitioner send further explanation but the 2nd respondent has not taken any action to the said explanation concluded the disciplinary proceedings. Hence, the present writ petition is filed to conclude the disciplinary proceedings initiated pursuant to the charge memo issued by the 2nd respondent, dated 17.12.2019 at the earliest.
4. The learned Government Advocate appearing for the respondents would oppose for allowing the writ petition.
5. This Court heard the rival submissions made by the learned counsel on either side and also perused the materials placed on record.
6. In view of the above submissions made by the learned counsel, this Court is inclined to entertain the writ petition. Therefore, this Court directs the 2nd respondent to conclude the disciplinary proceedings initiated in pursuant to the charge memo issued against the petitioner and pass final order in his proceedings in e/f/vz;/3645/2019-1/gm6, dated 17.12.2019 within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner herein.
7. With the above directions, this writ petition is disposed of at the admission stage itself. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

ssi



To

1. The Director,
Directorate of Rural Development & Panchayat Raj,
Panagal Maligai,
Saidapet, Chennai - 15.

2. The District Collector,
Perambalur District,
Perambalur.

+1cc to the Government Pleader, S.R.No.38835

W.P.No.16198 of 2021

SR(CO)
HS(25/08/2021)