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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2021

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THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.21146 of 2021
and
W.M.P.No.22443 of 2021

(Through Video Conferencing)

V.Nisha

...Petitioner

Vs

1.The District Collector,
Coimbatore District, Coimbatore.

2.The Block Development Officer (V.P),
Sulur Block, Coimbatore District.

3.The President,
Neelambur Panchayat,
Sulur Taluk, Coimbatore District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records of the 1st respondent relating to the impugned order dated 10.01.2015 in his proceedings Roc.No.4755/2013/T5 and quash the same and consequently direct the 1st respondent to reinstate the petitioner in the post of Panchayat Secretary with back wages along with service benefits.

For Petitioner : Mr.V.Regunathan

For Respondents : Mr.L.S.M.Hasan Fizal
Government Advocate

ORDER

This writ petition has been filed for a writ of Certiorarified Mandamus, to call for the records of the 1st respondent relating to the impugned order dated 10.01.2015 in his proceedings Roc.No.4755/2013/T5 and quash the same and consequently direct the 1st respondent to reinstate the petitioner in the post of Panchayat Secretary with back wages along with service benefits.



2.The petitioner was issued a charge memo as early as on 05.09.2013. About, ten different charges were framed against the petitioner in disciplinary proceedings initiated against the petitioner.

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3.During the interregnum, the audit department vide their finding dated 29.09.2014 has also stated that no case was made out against the petitioner as far as charge Nos.1 to 4 & 6 to 10 were concerned. The petitioner was however suspended on 10.01.2015. The petitioner has sent several representations to the respondents to reinstate the petitioner. The respondents have not proceeded with the disciplinary proceedings.

4.Considering the fact, that the respondents have not proceeded with the disciplinary proceedings, and have kept the petitioner under suspension for a prolonged period since 10.01.2015, the respondents are also directed to complete the disciplinary proceedings within a period of six months from the date of receipt of a copy of this order.

5.Considering the fact that the petitioner has been under suspension for a long period of time, since 10.01.2015, the respondents are directed to reinstate the petitioner into the services of the 3rd respondent by asking the petitioner to report for duty on 15.11.2021. The respondents may also bring the closure report to the disciplinary proceedings one way or the other by passing appropriate orders within a period of six months from the date of receipt of a copy of this order.

6.This writ petition is disposed of with the above observations. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

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To

1.The District Collector,
Coimbatore District, Coimbatore.

2.The Block Development Officer (V.P),
Sulur Block, Coimbatore District.



3.The President,
Neelambur Panchayat,
Sulur Taluk, Coimbatore District.

+1cc to M/s.V.Regunathan, Advocate Sr No.50997
+1cc to the Government Pleader Sr No.51998

W.P.No.21146 of 2021
and
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RGN (CO)
PR (12/11/2021)