



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)Nos.1720 and 1722 of 2020

and W.M.P. (MD)Nos.1461 and 1464 of 2020

WEB COPY

W.P. (MD)No.1720 of 2020

M.Lazer

... Petitioner

versus

1. The Director of Town Panchayats,
Directorate of Town Panchayats,
Raja Annamalaipuram,
Chennai - 600 028.
2. The District Collector,
Kanniyakumari District,
Collectorate Campus, Nagercoil - 629 001.
3. The Assistant Director of Town
Panchayats,
Office of the Assistant Director of
Town Panchayats,
Nagercoil Zone,
Kanyakumari District.
4. The Executive Officer,
Thiruvattar Town Panchayat,
Thiruvattar,
Kanyakumari District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the orders bearing Roc.No.2741/2019/Q5 dated 29.04.2019 and the consequential order bearing Roc.No.2741/2019/Q5 dated 30.04.2019 passed by the second respondent and to quash the same and for consequential direction directing the respondents to grant all pensionary and monetary benefits including Death cum Retirement gratuity, Special Provident Fund, Encashment of leave salary and Commutation of Pension to the petitioner with continuity of service.

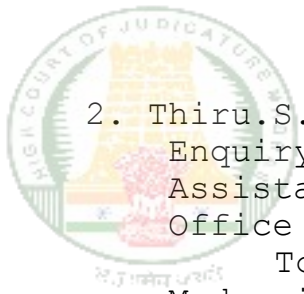
W.P. (MD)No.1722 of 2020:

M.Lazer

... Petitioner

versus

1. The Director of Town Panchayats,
Directorate of Town Panchayats,
Raja Annamalaipuram,
Chennai - 600 028.



2. Thiru.S.Sethuraman,
Enquiry Officer,
Assistant Director of Town Panchayats,
Office of the Assistant Director of
Town Panchayats
Madurai Zone, Madurai - 625 020.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorari, to call for the records pertaining to the charge memo bearing Na.Ka.No.13771-2/2016/E5 dated 24.04.2019, issued under 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules by the first respondent and to quash the same as illegal.

For Petitioner : Mr.D.Srinivasa Raghavan
in both petitions
For Respondents : Mr.S.Shaji Bino,
in both petitions Special Government Pleader

COMMON ORDER

Since the petitioner in both the writ petitions are one and the same, both the writ petitions are taken up together for final hearing and disposed of by way of a common order.

2. While W.P.(MD)No.1722 of 2020 has been filed challenging the charge memo dated 24.04.2019 issued by the first respondent, W.P.(MD)No.1720 of 2020 has been filed challenging the suspension order dated 30.04.2019 and the consequential order dated 30.04.2019 not permitting the petitioner to retire from service.

3. Today, when the matters are taken up for hearing, the learned Special Government Pleader appearing for the respondents submits that pending the writ petitions, enquiry was concluded and second show cause notice has also been issued to the petitioner.

4. Considering the fact that enquiry has been concluded, there shall be a direction to the respondents to conclude the disciplinary proceedings and pass final orders on merits and in accordance with law, within a period of two months from the date of receipt of a copy of this order.

5. With the above direction, the writ petitions are disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS I)

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/ /2021

Sub Assistant Registrar(CS)

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To

1. The Director of Town Panchayats,
Directorate of Town Panchayats,
Raja Annamalaipuram,
Chennai - 600 028.
2. The District Collector,
Kanniyakumari District,
Collectorate Campus,
Nagercoil - 629 001.
3. The Assistant Director of Town
Panchayats,
Office of the Assistant Director of
Town Panchayats,
Nagercoil Zone,
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4. The Executive Officer,
Thiruvattar Town Panchayat,
Thiruvattar,
Kanyakumari District.
5. Thiru.S.Sethuraman,
Enquiry Officer,
Assistant Director of Town Panchayats,
Office of the Assistant Director of
Town Panchayats
Madurai Zone, Madurai - 625 020.

+2 CC to M/s.D.SRINIVASA RAGHAVAN, Advocate (SR-36671[F] dated 01/12/2021)

+1 CC to M/s.SPL GP (SR-37039[F] dated 02/12/2021)

W.P(MD)Nos.1720 and 1722 of 2020
30.11.2021

MGJ(14.12.2021) 3P 9C