



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P (MD)No.2856 of 2020

and W.M.P. (MD)Nos.2421 and 2422 of 2020

WEB COPY

V.Subbarayan

... Petitioner

versus

1.The Director,
Rural Development and Panchayatraj,
Chennai - 600 015.

2.The District Collector,
Tirunelveli,
Tirunelveli District.

3.The Block Development Officer,
Village Panchayat,
Keelapavoor Panchayat Union,
Keelapavoor,
Tirunelveli District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorari, to call for the impugned charge memo dated 27.03.2018 made in Na.Ka.No.Gna5/37522/2012-3 issued by the second respondent to the petitioner and subsequently, quash the same as devoid of merits.

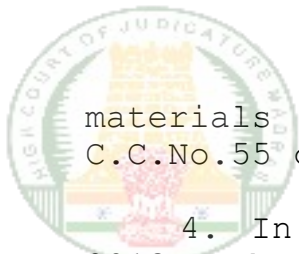
For Petitioner : Mr.S.Palani Velayutham
For Respondents : Mr.J.Ashok,
Additional Government Pleader

ORDER

This writ petition is filed challenging the charge memo dated 27.03.2018 issued by the second respondent.

2. The petitioner, while working as Junior Engineer in the Office of Keelapavoor Panchayat Union, was slapped with a charge memo dated 27.03.2018 by the second respondent. According to the learned counsel for the petitioner, the charge memo was issued after a period of ten years from the date of incident.

3. The learned Additional Government Pleader appearing for the respondents submits that the allegation against the petitioner relates to misappropriation and the same was detected belatedly. Thereafter, a criminal case has been registered against the petitioner and charge memo has also been issued. He further submits that in the criminal case, the Investigating Agency found several



materials against the petitioner and also filed a final report in C.C.No.55 of 2013.

4. In view of the pendency of criminal case in C.C.No.55 of 2013 and the charge memo dated 27.03.2018 having been issued, the petitioner was not permitted to retire from service. Therefore, this Court, without expressing anything on merits, directs the learned District Munsif cum Judicial Magistrate, Sivagiri to complete the trial in C.C.No.55 of 2013, within a period of six months from the date of receipt of a copy of this order. The respondents shall also proceed with the enquiry, complete the enquiry and pass final orders, within a period of six months from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (AD-II)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

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Village Panchayat,
Keelapavoor Panchayat Union,
Keelapavoor,
Tirunelveli District.

+1 CC to M/s.SPL GP (SR-36767[F] dated 01/12/2021)

W.P(MD)No.2856 of 2020

30.11.2021

PK (CO)

GC(09.12.2021) 2P 5C