



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **04.06.2021**

CORAM:

WEB COPY

THE HONOURABLE **MRS.JUSTICE J.NISHA BANU**
W.P. (MD) No.9602 of 2021

M.Thiruppathi

... Petitioner

vs.

1.The Commissioner,
HR&CE Department,
Nungambakkam High Road,
Chennai 600 034.

2.The Joint Commissioner,
HR&CE,
Madurai 625 002.

... 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 consider and pass appropriate orders in the pending proceedings in Na.Ka.No.9290 /07/aal dated 25.01.2010 within a time frame fixed by this Court.

For Petitioner	: Mr.V.Raghavachari
For Respondents	: Mr.M.Sangaralingam Standing Counsel

ORDER

Mr.M.Sangaralingam, learned Standing Counsel accepts notice on behalf of the respondents.

2.By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The learned counsel appearing for the petitioner would state that on 02.02.1992, the petitioner was appointed as Hereditary Trustee of Sri Nachiyarammal Kattalai, Vandiyur, Madurai North Taluk, Madurai District. Based on some charges, the petitioner was suspended from trusteeship by the respondent department, vide proceedings dated 25.01.2010 and an enquiry was directed to be conducted by the 2nd respondent/Joint Commissioner, HR&CE, Madurai. However, without concluding enquiry, the 2nd respondent lodged a complaint as against the petitioner, based on the aforesaid charges, before the Karuppayoorani Police Station and the cognizance has also



been taken on file in C.C.No.232 of 2015 by the learned Judicial Magistrate No.VI, Madurai.

4.The learned counsel would further state that after trial, the charges framed against the petitioner found to be baseless and the petitioner was discharged from all the charges initiated against him by the learned Judicial Magistrate No.VI, Madurai. The grievance of the petitioner now is that though enquiry proceedings are commenced and the petitioner has also been deposed before the 2nd respondent on 12.08.2020, no final order has been passed in the pending proceedings, till date. Hence, the petitioner is before this Court.

5.In reply to the submission of the learned counsel for the petitioner, Mr.M.Sangaralingam, learned Standing Counsel for the respondents would state that enquiry will be completed and final orders will be passed in the pending proceedings, dated 25.01.2010, within a reasonable time.

6.Considering the submissions of the learned counsel for the petitioner as well as the learned Standing Counsel for the respondents and in the light of the facts and circumstances of the case, the 2nd respondent is directed to conclude an enquiry in the pending proceedings in Na.Ka.No.9290/07/aa1 dated 25.01.2010 and pass final orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

7.With the above direction, the writ petition is disposed of.No Costs.

Sd/-

Assistant Registrar (CS-)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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Note:(i) In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



To

1.The Commissioner,
HR&CE Department,
Nungambakkam High Road,
Chennai 600 034.

2.The Joint Commissioner,
HR&E,
Madurai 625 002.

+1 CC to M/s.SPL GP (SR-18934[F] dated 07/06/2021)

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