



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.08.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P. (MD) .No.13887 of 2021

and

W.M.P.Nos.10850 and 10851 of 2021

WEB COPY

P. Petchimuthu

... Petitioner

Vs.

1. The Director of Horticulture,
The Directorate of Horticulture Department,
Valaja Road,
Chennai - 600 005.

2. The Deputy Director of Horticulture,
Horticulture Department,
NGO Colony,
Perumal Puram,
Tirunelveli - 627 007.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, for a issuance of a Writ of Certiorari, calling for the entire records pertaining to the impugned enquiry notices in proceedings No.A/1/2597/2021(2) dated 07.07.2021 and Proceedings No.A/1/2650/2021(2) dated 14.07.2021 issued by the second respondent and to quash the same.

For Petitioner : Mr. P.M. Vishnuvarthanan
For Respondents : Mr. A.K. Manikkam,
Government Counsel

O R D E R

The prayer in this writ petition is for the issuance of a Writ of Certiorari, calling for the entire records pertaining to the impugned enquiry notices in proceedings No.A/1/2597/2021(2) dated 07.07.2021 and Proceedings No.A/1/2650/2021(2) dated 14.07.2021 issued by the second respondent and to quash the same.

2. According to the petitioner, the petitioner has joined on 26.10.2018 as Assistant Horticulture Officer in the second-respondent office and served as such, without any blemish, till July 2021. Based on a complaint, the second respondent has issued the impugned enquiry notices and called for the petitioner to appear in person for enquiry on 07.07.2021 and 14.07.2021 respectively before the second respondent. According to the



Petitioner, the impugned enquiry notices have been issued based on complaints by persons, who are inimical to the petitioner, and about the incidents, which have nothing to do with his official duty. Challenging the aforesaid enquiry notices, the present Writ Petition has been filed before this Court.

WEB COPY

3. According to the learned counsel for the petitioner, the second-respondent has made allegations against the petitioner on false and baseless complaints and therefore there is no evidence to substantiate the said charges. Further it is submitted that the petitioner will co-operate for the enquiry and seek for a direction to conclude the said enquiry within time fixed by the Court.

4. On instructions, the learned Government Counsel submitted that if the petitioner cooperates in the enquiry, the enquiry proceedings will be completed within a period of eight weeks from the date of receipt of a copy of this order.

5. In view of the above submission of the parties concerned, this Court is inclined to direct the second respondent to proceed and conclude the enquiry in accordance with law and submit a report to the first respondent.

6. The said exercise shall be completed by the enquiry officer within a period of 12 weeks from the date of receipt of a copy of this order. Thereafter, based on the said report of the second-respondent, the first respondent shall pass appropriate orders at the earliest. Further, as per the undertaking given by the petitioner, the petitioner shall co-operate with the enquiry proceedings conducted by the second respondent .

7. With the above directions, the Writ Petition is disposed of. No order as to costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (AE)

// True Copy //

/ /2021

Sub Assistant Registrar (CS)

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To

1. The Director of Horticulture,
The Directorate of Horticulture Department,
Valaja Road,
Chennai - 600 005.

2. The Deputy Director of Horticulture,
Horticulture Department,
NGO Colony,
Perumal Puram,
Tirunelveli - 627 007.

+1 CC to M/s.P.M.VISHNUVARTHANAN, Advocate (SR-26289[F] dated 13/08/2021)

+1 CC to M/s.SPL GP (SR-26492[F] dated 17/08/2021)

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KMV (CO)
SB(14.09.2021) 3P 5C