



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.11.2021

CORAM

THE HONOURABLE MR.JUSTICE **S.S.SUNDAR**

W.P.(MD).No.19868 of 2021

S.Dhakshinamoorthy

... Petitioner

vs.

1.The Director of Rural Development  
and Panchayat Raj,  
Panagal Building, Saidapet,  
Chennai-15.

2.The Commissioner of Rural Development  
and Panchayat Raj,  
Chennai-15.

3.The District Collector (Rural Development),  
Ramanathapuram District, Ramanathapuram.

4.P.Anandharaj,  
Project Director,  
District Rural Development Agency,  
Ramanathapuram.

5.The Block Development Officer,  
Block Development Office,  
R.S.Mangalam,  
Ramanathapuram District.

6.The Block Development Officer,  
Block Development Office,  
Thiruvadanai,  
Ramanathapuram District.

...Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, to direct the first respondent to dispose and pass final order upon the disciplinary proceedings in Roc.No.45047-07 VC 2.2 dated 03.06.2008 against the petitioner within a time frame that may be fixed by this Court by considering the petitioner's representation dated 01.03.2021.

For Petitioner

:Mr.K.Saravanan

For R-1 to R-4 and R-6

:Mr.A.K.Manikkam

Government Advocate

For R-5

:Mr.P.Subbaraj

Government Advocate



**O R D E R**

This Writ Petition is filed for issuance of a Writ of Mandamus, directing the first respondent to dispose and pass final order upon the disciplinary proceedings in Roc.No.45047-07 VC 2.2, dated 03.06.2008, against the petitioner within a time frame that may be fixed by this Court by considering his representation, dated 01.03.2021.

2.Heard Mr.K.Saravanan, learned Counsel appearing for the petitioner, Mr.A.K.Manikkam, learned Government Advocate appearing for the respondents 1 to 4 and 6<sup>th</sup> respondent and Mr.P.Subbaraj, learned Government Advocate appearing for 5<sup>th</sup> respondent.

3.The petitioner was appointed as Rural Welfare Officer Grade II in the Panchayat Union Office, Kamuthi. The petitioner is working as Assistant in the 6<sup>th</sup> respondent Office. The petitioner was issued with a charge memo under Section 17(b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules, by the first respondent, on 03.06.2008. It is the case of the petitioner that the petitioner submitted his written explanation on 23.06.2008. It is also stated that the second respondent was appointed as an enquiry Officer.

4.Though the petitioner was allowed to retire peacefully on attaining the age of superannuation by the third respondent by his proceedings, dated 30.01.2009, it is the grievance of the petitioner that the disciplinary proceedings, which was commenced in 2008, is not completed to reach a logical end. It is the case of the petitioner that the second enquiry officer was appointed, who also conducted an enquiry after summoning witnesses. It is in the circumstances, the petitioner has submitted several representations requesting the respondents to complete the disciplinary proceedings. Since the respondents did not take any action on the representation of the petitioner, the petitioner has come forward with the present Writ Petition.

5.Having regard to the limited scope of the prayer and the fact that the learned Government Advocates have no objection for disposing this Writ Petition with a direction to the respondents to complete the disciplinary proceedings initiated against the petitioner within a time frame, this Court is inclined to dispose of the Writ Petition. With the following directions:

6.Accordingly, the Writ Petition is disposed of with a direction to the first respondent to pass final orders pursuant to the disciplinary proceedings initiated against the petitioner within a period of twelve weeks from the date of receipt of a copy of this



order, after giving adequate opportunity to the petitioner. No costs.

Sd/-

Assistant Registrar (Records)

// True Copy //

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/ /2021

Sub Assistant Registrar(CS)

tmg/cmr

To

- 1.The Director of Rural Development  
and Panchayat Raj,  
Panagal Building, Saidapet,  
Chennai-15.
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Ramanathapuram District.
- 6.The Block Development Officer,  
Block Development Office,  
Thiruvadanai,  
Ramanathapuram District.

+1 CC to M/s.SPL.GP ( SR-33660[F] dated 08/11/2021 )

W.P.(MD).No.19868 of 2021

02.11.2021

MGJ/JGB(17.11.2021) 3P 8C