



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 29.10.2021

CORAM

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P(MD) No.19574 of 2021

M.Balasubramanian

... Petitioner

Vs.

1.The District Collector,
Tirunelveli District,
Tirunelveli.

2.The Tahsildar,
Tirunelveli Taluk,
Tirunelveli.

... Respondents

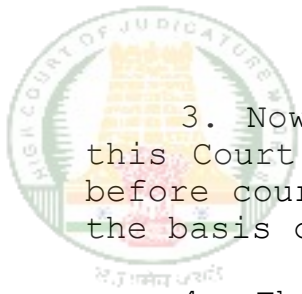
PRAYER: Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Mandamus, directing the 2nd respondent to complete the enquiry and the disciplinary proceedings initiated against the petitioner by the 2nd respondent vide charge memo in Na.Ka.Aa6/12297/2012 dated 05.02.2019 within a stipulated time that may be stipulated by this Court and pass such further or other orders as this Court.

For Petitioner	:	Mr.R.Pon Karthikeyan
For Respondents	:	Mr.A.K.Manikkam, Standing Counsel for State.

O R D E R

This Writ Petition has been filed for the issuance of a Writ of Mandamus, directing the second respondent to complete the enquiry and the disciplinary proceedings initiated against the petitioner by the second respondent vide charge memo in Na.Ka.Aa6/12297/2012 dated 05.02.2019.

2. According to the petitioner, the second respondent has framed charges against the petitioner in respect of the properties purchased by him are without prior permission and the aforesaid properties were purchased in the name of his wife. The second respondent appointed one Kumar, Deputy Headquarters Tahsildar as an enquiry officer to conduct an enquiry on the charges framed against the petitioner. In pursuant to the charge, a criminal case was lodged against the petitioner under Sections 13(2) r/w13(10(2) of the Prevention of Corruption Act and a charge sheet was filed by the Inspector of Police vigilance and anticorruption, Tirunelveli and the same is before the Special Court in Special Case No.2 of 2021, which is still pending.



3. Now the learned counsel for the petitioner submitted before this Court that the said enquiry is concluded. Therefore, he seeks before court to direct the second respondent to pass final orders on the basis of the said enquiry report.

4. The learned Government Counsel for the respondents would submit that the second respondent will consider and pass final orders as per the Rules.

5. In view of the aforesaid submissions made by the counsel for the parties concerned, this Court, without expressing any opinion on merits, directs the second respondent to pass final order based on the said enquiry report on its own merits and in accordance with law as expeditiously as possible, preferably within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. The writ petition stands disposed of, with the above directions. No Costs.

Sd/-

Assistant Registrar (T&P)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

mnr

Note : 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 District Collector,
Tirunelveli District,
Tirunelveli.

2.The Tahsildar,
Tirunelveli Taluk,
Tirunelveli.

+1 CC to M/s.SPL.GP (SR-33352[F] dated 01/11/2021)



+1 CC to M/s.R.PON KARTHIKEYAN, Advocate (SR-33232[F] dated 29/10/2021)

W.P (MD) No.19574 of 2021
29.10.2021

MMS (CO)

KB(19.11.2021) 3P 5C