



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.04.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.9950 of 2021

and

W.M.P.No.10566 of 2021

V.Rajappa

... Petitioner

vs.

1.The District Collector,
Thiruvarur, Thiruvarur District.

2.The Assistant Director,
(Town Panchayat),
Thanjavur, Thanjavur District.

3.The Special Officer,
Town Panchayat,
Muthupet, Thiruvarur District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent proceeding in Na.Ka.No.991/2020 Pae Ru-2 dated 30.04.2020 for suspension from his service and without allowing him from retirement and quash the same and to direct the 1st respondent to release his retirement benefits and other benefits.

For Petitioner : Mr.R.Murugabharathi

For Respondents : Mr.Haja Nazirudeen
Additional Advocate General
Assisted by Mrs.S.Anitha
Special Gvoernment Pleader

O R D E R

This writ petition has been filed for issuance of Writ of Certiorarified Mandamus, calling for the records of the 1st respondent proceedings in Na.Ka.No.991/2020 Pae Ru-2 dated 30.04.2020 for suspension from his service and without allowing



him from retirement and quash the same and to direct the 1st respondent to release his retirement benefits and other benefits.

2. According to the petitioner that while the petitioner was working as Junior Assistant in the Muthupet Town Panchayat, the 3rd respondent has framed charges against the petitioner for the reason that he has not collected water tax for the amount of Rs.14,96,530/-. Due to the aforesaid loss, the petitioner was placed under suspension on the date of his superannuation and he was not allowed to retire from service. Thus, he filed the present writ petition before this Court.

3. The learned counsel appearing for the petitioner would submit that an enquiry officer was appointed for concluding the aforesaid charges levelled against the petitioner. Therefore, he prays that an appropriate direction may be issued to the 1st respondent to conclude the said disciplinary proceedings, within the time specified by this Court.

4. Considering the said fact that the charges levelled as against the petitioner is pending before the 1st respondent, this Court cannot interfere with the impugned suspension order. Further, this Court directs the 1st respondent to conclude the aforesaid disciplinary proceeding pending against the petitioner and pass appropriate orders in accordance with law, within a period of four months from the date of receipt of a copy of this order. However, if the said disciplinary proceedings is not concluded, by the 1st respondent within the aforesaid period, it is open to the petitioner to seek appropriate orders for getting his retirement benefits from the authority concerned.

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

Sd/-

Assistant Registrar(CS-IV)

// True Copy //

Sub Assistant Registrar

dm
To

1.The District Collector,
Thiruvarur, Thiruvarur District.



2.The Assistant Director,
(Town Panchayat),
Thanjavur, Thanjavur District.

3.The Special Officer,
Town Panchayat,
Muthupet, Thiruvarur District.

+1cc to Mr.R.Murugabharathi, Advocate SR.No.22541
+1cc to the Government Pleader SR.22770

W.P.No.9950 of 2021

GPL(CO)
CB(18/04/2022)