

IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED : 03.06.2022

CORAM:

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.No.13794 of 2022
and
W.M.P.No.13087 of 2022

V.Revathy,
W/o. T.Ramanathan

...Petitioner

Vs

1. The Principal Secretary to Government,
Tamil Development and Information
Department, Secretariat,
Chennai - 600 009.

2. The Commissioner,
Commissionerate of Stationery and
Printing, No.110, Anna Salai,
Chennai-600 002.

3. The Joint Director (i/c),
Commissionerate of Stationery and
Printing, No.110, Anna Salai,
Chennai-600 002.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records on the file of the 3rd respondent in Commr.No.R1/3575/2016, dated 27.05.2022 (served on the petitioner on 30.05.2022) and quash the same and consequently permit the petitioner to retire from service with effect from 31.05.2022 with all attendant benefits.

For Petitioner : Mr.Durai Gunasekaran

For Respondents: Mr.P.Ganesan,
Government Advocate

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2. The petitioner herein challenges the order of suspension, whereby she was suspended on the last date of retirement, since the departmental proceedings against her was pending. When such departmental proceedings are pending against a Government employee, placing such an employee under suspension cannot be strictly found fault with. However, the fact remains that the enquiry was completed wayback in the year 2021 and to the enquiry report dated 16.11.2021, the petitioner has also submitted her further explanation on 01.12.2021. Without passing orders on the further explanation, the respondents had inordinately kept the proceedings pending and thereafter, placed her under suspension. Such an inordinate delay would have caused serious prejudice to the petitioner.

3. In this background, this Court is of the view that if the respondents are directed to complete the departmental proceedings within a stipulated time, the petitioner would be in a position to know her scope for getting retirement benefits. In this background, there shall be a direction to the 3rd respondent herein to complete the departmental proceedings pending against her pursuant to the charge memo dated 19.02.2016 within a period of one month from the date of receipt of a copy of this order.

4. With the above direction, the Writ Petition stands disposed of accordingly. No costs. Consequently, connected Writ Miscellaneous Petition is closed.

Sd/-
Vacation Officer(T&P)

True Copy//

Sub Assistant Registrar

rpp/kst

To

1. The Principal Secretary to Government,
Tamil Development and Information
Department, Secretariat,
Chennai - 600 009.

2. The Commissioner,
Commissionerate of Stationery and
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Chennai-600 002.

3. The Joint Director (i/c),
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Chennai-600 002.

+1cc to Mr.Durai Gunasekaran, Advocate, S.R.No.32088

W.P.No.13794 of 2022

MT[o]
NSK/15/07/2022