



W.P.No.36397 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.10.2022

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THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.36397 of 2016

R.Raju

...Petitioner

Vs.

1. Government of Tamilnadu,
Rep.by its Secretary,
Co-operative, Food and Consumer Protection
Department, Fort St.George,
Chennai – 600 009.
2. The Registrar of Co-operative Societies,
Poonamallee High Road, Kilpauk,
Chennai – 600 010.
3. The Additional Registrar of Co-operative Societies,
Chennai Region, Raja Annamalaipuram,
Chennai – 28.
4. The Deputy Registrar (Credit)
Regional Office, Kuralagam,
Chennai – 600 108.

..Respondents

Prayer : Writ Petition filed Under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to pass final orders in the disciplinary proceedings initiated against the petitioner pursuant to the



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Charge Memo issued to him by the 2nd Respondent on 18.01.2011 in Na.Ka.No.733/ 2010/ Ne.U.1(3), within a specified time as may be fixed by this Honourable Court and to settle him forthwith the Special Provident Fund (Old), Special Provident Fund (New), Earned Leave Salary and Privilege Leave Salary without reference to the pending disciplinary proceedings and also without reference to passing of final orders and to settle him forthwith all other terminal benefits, including DCRG and Pension, immediately after passing of the final orders.

For Petitioner : Mr.V.Ajoy Khose

For Respondents : Mr.R.P.Murugan Raja
Government Advocate

ORDER

The relief sought for in the present writ petition is to direct the respondents to pass final orders in the departmental disciplinary proceedings initiated against the writ petitioner pursuant to the charge memo issued to him by the 2nd respondent in proceedings dated 18.01.2011.

2. The learned counsel for the petitioner made a submission that the domestic enquiry has already been concluded and the petitioner also submitted his further objections on the findings in the enquiry report. Thus,



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the Disciplinary Authority has to pass final orders in the departmental disciplinary proceedings.

3. This Court is of the considered opinion that on initiation of departmental disciplinary proceedings, the authorities competent must ensure that all such proceedings are concluded within a reasonable period of time. Long pendency of departmental disciplinary proceedings would cause prejudice to the interest of the employees. In the event of pendency of disciplinary proceedings, an employee may not get his service benefits including promotion and other benefits. Thus, the disciplinary proceedings once initiated must be disposed of at the earliest possible.

4. In view of the fact that the enquiry proceedings had already been concluded, the respondent / Disciplinary Authority is directed to consider the materials available on record and pass final orders in the departmental disciplinary proceedings within a period of six weeks from the date of receipt of a copy of this order.



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5. With this direction, the writ petition stands disposed of. No costs.

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Index : Yes

Speaking order: Yes

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To

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Co-operative, Food and Consumer Protection
Department, Fort St. George,
Chennai – 600 009.
2. The Registrar of Co-operative Societies,
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S.M.SUBRAMANIAM, J.

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