



W.P.No.15313 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.06.2022

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.15313 of 2022

V.S.Mohan

... Petitioner

vs.

1. The Principal Secretary to Government,
Revenue Department,
Secretariat,
Chennai – 9.

2. The Principal Secretary/
Commissioner of Revenue Administration,
Commissionerate of Revenue Administration,
and Disaster Management,
Ezhilagam,
Chennai – 5.

3. The District Collector,
Cuddalore.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the first respondent to pass orders in the disciplinary proceedings initiated by the second respondent under Rule 17(b) of the T.N.C.S. [D & A] Rules vide proceedings No.2(1)/461/2019 dated 08.09.2020.



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For Petitioner : Mr.S.Vijayakumar

For Respondents : Mr.P.Ganesan
Government Advocate

ORDER

This Writ Petition has been filed seeking to issue a Writ of Mandamus, directing the 1st respondent to pass orders in the disciplinary proceedings initiated by the 2nd respondent under Rule 17(b) of the T.N.C.S. [D & A] Rules vide proceedings No.2(1)/461/2019 dated 08.09.2020.

2. According to the petitioner, the petitioner has joined as Junior Assistant in the Revenue Department through Employment Exchange on 23.11.1981 and he was posted at Collector Office, Cuddalore. Thereafter, he was promoted as Deputy Tahsildar in the year 2008 and further, he was promoted to the post of Tahsildar in the year 2014. At present, he was working as Excise Supervisory Officer, [IMFS] Unit, Vazhuthareddy in the cadre of Deputy Collector, Villupuram District. Thereafter, the 1st respondent has initiated disciplinary proceedings under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules for the charges levelled against the petitioner by the 2nd respondent by his Proceedings No.Ser.2[1]/4612019,



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dated 08.09.2020. Thereafter, the Enquiry Officer has been appointed to enquire the aforesaid charges and the Enquiry Officer has conducted detailed enquiry and the report has been submitted by the Enquiry Officer before the 1st respondent. Therefore, the petitioner seeks to conclude the disciplinary proceedings and to pass final orders within the time as stipulated by this Court.

3. The learned Government Advocate appearing for the respondents, on instructions, submitted that the enquiry proceedings has now concluded and the Enquiry Officer has submitted his report to the Government and therefore, the 1st respondent would conclude the said disciplinary proceedings as early as possible.

4. Heard the learned counsel for both sides and perused the materials available on record.

5. On going through the records, it is seen that the 2nd respondent by his Proceedings No.Ser.2[1]/4612019, dated 08.09.2020, has framed charge memo under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and



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Appeal) Rules as against the petitioner alleging lapse on the part of the petitioner in violating the procedure contemplated under G.O.Ms.No.87, Social Welfare and Nutritious Meal Programme [SE4] Department, dated 17.07.2009 and G.O.Ms.No.63, Social Welfare and Nutritious Meal Programme [SE4] Department, dated 18.03.2010. On framing the aforesaid charge memo, the Enquiry Officer has been appointed to enquire the aforesaid charges levelled against the petitioner.

6. It is reported before this Court that the said enquiry proceedings has been concluded and the Enquiry Officer has also submitted his report before the Government. That being the fact, the learned Government Advocate appearing for the respondents also submitted that the disciplinary proceedings would be concluded by the concerned authority.

7. In view of the above, this Court is inclined to direct the 1st respondent to conclude the disciplinary proceedings pending against the petitioner, by following the procedure as contemplated under the Rules, as early as possible, within a period of three months from the date of receipt of a copy of this order.



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8. With the above direction, the writ petition stands disposed of. No

costs.

21.06.2022

Index : Yes / No

Internet : Yes / No

dm

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D.KRISHNAKUMAR. J

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