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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2022

CORAM :

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.10663 of 2014

and

M.P.No.2 of 2014

V.R.Veerasamy

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary,
Municipal Administration and Water
Supply (TP.II) Department,
Fort St.George,
Chennai - 600 009.

2. The Director of Town Panchayat,
Kuralgam,
Chennai - 600 108.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a writ of Certiorarified Mandamus, calling for the records to the order of the 2nd respondent dated 29.08.2000 in circular No.Na.Ka.No.12000/2000/A1 and the orders of the 1st respondent dated 31.08.2000 in G.O.(2D) No.114 Municipal Administration and Water Supply (TP-II) Department and G.O.(2D) No.115 Municipal Administration and Water Supply (T.P.II) department and the consequential order of the 1st respondent dated 02.05.2013 in order No.19893/Peru.4/2012-1 and quash the same and consequently direct the respondents to forthwith pay all the retirement benefits and earned leave amounts to the petitioner.

For Petitioner : Mr.K.Selvaraj

For Respondents : Ms.S.Anitha
Special Government Pleader

ORDER

The writ petition has been filed challenging the charge memo dated 29.08.2000.

2. The writ petitioner was working as an Assistant Director of Town Panchayat and reached the age of superannuation



and not allowed to retire from service. The petitioner was placed under suspension and charge memo was issued in proceedings dated 29.08.2000 under Rule 17(B) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules.

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3. The learned counsel for the petitioner made a submission that the allegations are relating to the Audit objections and the matters are kept pending for longtime. In view of the fact that the petitioner reached the age of superannuation, and only to get terminal and pensionary benefits, learned counsel for the petitioner made a submission that it is suffice if a direction is issued to complete the departmental disciplinary proceedings and pass final orders.

4. The learned counsel for the petitioner further submitted that enquiry was already completed and two show cause notices were issued on 02.05.2013. The petitioner also had submitted his further explanation / objections on the enquiry report.

5. In view of the fact that the proceedings of enquiry had already been concluded, the respondents have to pass final order in the departmental disciplinary proceedings. Considering the facts and circumstances, taking note of the fact that the petitioner reached the age of superannuation and the senior citizen, the respondents are directed to consider the materials available on record on merits and in accordance with law and pass appropriate final orders in the departmental disciplinary proceedings within a period of six (6) weeks from the date of receipt of a copy of this order.

6. With these directions, this writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-V)

//True Copy//

Sub Assistant Registrar

Ab/Jeni

To

1. The Secretary,
The State of Tamil Nadu,
Municipal Administration and Water
Supply (TP.II) Department,
Fort St. George,
Chennai - 600 009.



2. The Director of Town Panchayat,
Kuralgam,
Chennai - 600 108.

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+1cc to Mr.K.Selvaraj, Advocate, S.R.No.34661

W.P.No.10663 of 2014

RK (CO)
UMA (20/06/2022)