



WEB COPY



W.P.No.32826 of 2022
and W.M.P.Nos.32237, 32238 & 32239 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.12.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.32826 of 2022

and

W.M.P.Nos.32237, 32238 & 32239 of 2022

T.Mohanavarman

... Petitioner

Vs.

1. The Principal Secretary,
Rural Development Department,
Government of Tamil Nadu,
Chepauk, Chennai - 600 009.
2. The Director,
Rural Development Department,
Government of Tamil Nadu,
Saidapet, Chennai - 600 015.
3. The District Collector,
Ranipettai District,
Ranipettai, Tamil Nadu - 632 401.
4. The Joint Director/Project Director,
District Rural Development Agency,
Ranipettai District,
Ranipettai - 632 401.
5. The Block Development Officer,
Walajapettai Panchayat Union,
Walajapettai, Ranipet District - 623 513.



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6. A.Dhandapani

7. A.Jayashree

8. A.Anbarasan

9. S.Shunmugam

10. R.Chandra

... 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 in respect of the P-11 charge memorandum No.Rc.No.PA1/440/2020-8, dated 21.02.2022 issued by the third respondent and the to quash the same and to direct the third respondent to promote the petitioner to the post of Block Development Officer but for this impugned order this petitioner is eligible as that of his juniors were promoted.

For Petitioner	:	Mr.K.Manickaraj
For R1 to R4	:	Ms.M.Jayanthi
For R5	:	Mr.R.U.Dinesh Rajkumar Additional Government Pleader

ORDER

By consent of both the parties, this writ petition has been taken up for final disposal at the admission stage itself.

2. Ms.M.Jayanthi, learned Additional Government Pleader accepts notice for the respondents 1 to 4 and Mr.R.U.Dinesh Rajkumar, learned Additional Government Pleader accepts notice for the fifth respondent.



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3. This writ petition has been filed challenging the charge memo dated 21.02.2022 issued to the petitioner and he also seeks for promotion to the post of Block Development Officer on par with his juniors.

4. The petitioner was working as a Deputy Block Development Officer(MGNREGS) in charge of Noon Meal programme. The impugned charge memo dated 21.02.2022 has been issued by the 3rd respondent to the petitioner on the ground that he has sanctioned bills without authority. The petitioner has already submitted an explanation to the impugned charge memo pleading his innocence. He has stated that he is no way involved in the sanctioning of the bills. Pursuant to the charge memo, the respondents have appointed an Enquiry officer. But, till date, the disciplinary proceeding initiated against the petitioner has not been commenced.

5. Heard K.Manickaraj, learned counsel for the petitioner and Ms.M.Jayanthi, learned Additional Government Pleader for the respondents 1 to 4 and Mr.R.U.Dinesh Rajkumar, learned Additional Government Pleader for the respondents. Since, no adverse orders are



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being passed against the respondents 6 to 10, notice to them is dispensed with by this Court.

6. The only limited relief that can be granted in this writ petition is to direct the Enquiry Officer to conclude the enquiry proceedings after affording a fair hearing to the petitioner and by considering all the objections raised by the petitioner in his explanation, within a time frame to be fixed by this Court.

7. No prejudice would be caused to any of the parties, if such a direction is issued by this Court.

8. For the foregoing reasons, this writ petition is disposed of by directing the Enquiry Officer Mr.M.Nanilathan, Joint Director/Project Director, TNSRLM, Ranipet District to conclude the disciplinary proceeding initiated against the petitioner pursuant to the impugned charge memo dated 21.02.2022 after affording a fair hearing to the petitioner and after giving due consideration to the objections raised by the petitioner in his explanation, on merits and in accordance with law, within a period of



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four months from the date of receipt of a copy of this order.

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9. With the aforesaid direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

07.12.2022

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
ham/vsi2

To

1. The Principal Secretary,
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Government of Tamil Nadu,
Chepauk, Chennai - 600 009.
2. The Director,
Rural Development Department,
Government of Tamil Nadu,
Saidapet, Chennai - 600 015.
3. The District Collector,
Ranipettai District,
Ranipettai, Tamil Nadu - 632 401.
4. The Joint Director/Project Director,
District Rural Development Agency,
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ABDUL QUDDHOSE, J.



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5. The Block Development Officer,
Walajapettai Panchayat Union,
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