



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2022

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 28177 of 2017
and
W.M.P. No. 30310 of 2017

J.Sureshkumar

... Petitioner

-vs-

The Deputy Commissioner (Works),
Greater Chennai Corporation,
General Department,
Chennai - 600 003.

... Respondent

Prayer:- Writ Petitions filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondent herein to defer all further proceedings pursuant to Charge Memo G.D.C. No. E13/34345/ 2011 dated 09.10.2017 issued by the Respondent until the final conclusion of the Criminal Case in C.C. No. 5 of 2013 on the file of the Principal Sessions and Special Judge, Chennai and subject to the outcome of said criminal case.

For Petitioner : Mr. M.Ravi

For Respondent : Mr. P.Manoj Kumar

O R D E R

Heard Mr. M.Ravi, Learned Counsel for the Petitioner and Mr. P.Manoj Kumar, Learned Counsel for the Respondent and perused the materials placed on record, apart from the pleadings of the parties.

2. The Writ Petition has been filed for directing the Respondent to defer all further proceedings pursuant to Charge Memo in G.D.C. No. E13/34345/2011 dated 09.10.2017 issued by the Respondent until final decision is taken in C.C. No. 5 of 2013 by the Principal Sessions and Special Judge for trial of cases under the Prevention of Corruption Act, 1988 (hereinafter referred to as 'the Criminal Court' for short).

3. The Respondent has filed Counter-Affidavit dated 17.11.2017



in which it has been stated that though departmental action has been initiated against the Petitioner, it would be finalized only after the completion of criminal case in C.C. No. 5 of 2013 pending before the Criminal Court, and till then, disciplinary proceedings would be kept in abeyance and no further process shall be taken. In view of the same, nothing remains to be decided in the Writ Petition.

4. At the same time, it shall ensured by the Criminal Court that there is atleast one effective hearing every week showing the progress of the case in C.C. No. 5 of 2013 and monthly reports in that regard is sent to the Registrar (Judicial) of this Court till final order is passed in that case.

In fine, the Writ Petition is disposed on the aforesaid terms. Consequently, the connected Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

vjt

To

1. The Deputy Commissioner (Works),
Greater Chennai Corporation,
General Department,
Chennai - 600 003.
2. The Principal Sessions and Special Judge for trial of cases
under the Prevention of Corruption Act, 198,
Chennai.

Copy to

The Registrar (Judicial),
Madras High Court,
Chennai - 600 104.

+2cc Mr. P.Manoj Kumar, Advocate S.R.No.39161 (29/06/2022)

W.P. No. 28177 of 2017

SR-II(CO)
CT/28/06/2022