



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:06.04.2022

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

WEB COPY

W.P. (MD)No.2649 of 2021

&

WMP (MD)Nos.2193 & 2194 of 2021

N.Murugesan (under Suspension)

... Petitioner

Vs.

1. The Additional Chief Secretary to the Government,
Revenue and Disaster Management Department,
Secretariat, Chennai-600 009.

2. The Additional Chief Secretary/
Commissioner of Revenue Administration,
Commissionerate of Revenue and
Disaster Management Department,
Ezhilagam,
Chennai-600 005.

3. The District Collector,
Virudhunagar,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records pertaining to the impugned charge memo in Ser.2(2)/38074/2017 dated 19-01-2019 issued by the 2nd respondent and quash the same.

For Petitioner

: Mr.A.Rajaram

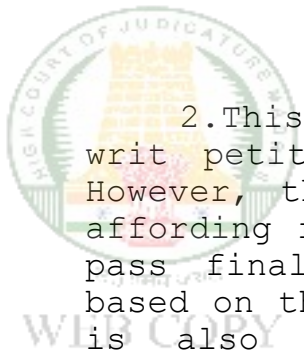
For Respondents

: Mr.N.Satheesh Kumar

Additional Government Pleader

ORDER

The learned counsel appearing for the petitioner fairly made a submission that during the pendency of the writ petition, departmental disciplinary proceedings were proceeded with and the Enquiry Officer completed the enquiry and submitted his report. Thus, the petitioner has to be provided with an opportunity to submit his objections on the enquiry report and thereafter, the disciplinary authorities/first respondent has to take a final decision and pass appropriate orders.



2.This being the factum, this Court is of the opinion that the writ petition against the charge memo need not be entertained. However, the respondents are directed to follow the procedures by affording further opportunity to the writ petitioner and thereafter pass final orders in the departmental disciplinary proceedings, based on the materials available and on merits. The writ petitioner is also directed to co-operate for early disposal of the proceedings. In the event of non cooperation, the same may be recorded by the authority concerned in the proceedings itself and in such circumstances, the petitioner is not entitled to claim any relief on the ground of delay.

3.With these observations, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1. The Additional Chief Secretary to the Government,
Revenue and Disaster Management Department,
Secretariat, Chennai-600 009.

2. The Additional Chief Secretary/
Commissioner of Revenue Administration,
Commissionerate of Revenue and
Disaster Management Department,
Ezhilagam,
Chennai-600 005.

3. The District Collector,
Virudhunagar,
Virudhunagar District.

+1 CC to M/s.A. RAJARAM, Advocate (SR-16959[F] dated 06/04/2022)

+1 CC to M/s.SPL.GP (SR-17176[F] dated 07/04/2022)

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RD(22.04.2022) 2P 6C