



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.04.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P. (MD) No.7269 of 2022

C.Ramakrishnan

... Petitioner

Vs.

1.The Additional Chief Secretary/Commissioner of
Revenue Administration,
Ezhilagam,
Chepauk,
Chennai-600 005.

2.The District Collector,
Sivagangai District,
Sivagangai.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the first respondent i.e. the Additional Chief Secretary / Commissioner of Revenue Administration, Chennai to obtain the enquiry report from the Enquiry Officer and pass final orders on the disciplinary action initiated in his charge memo No.Ser 2(4)/39622-7-2016 dated 05.05.2020 within a specified time frame that may be fixed by this Court considering the fact that the petitioners date of superannuation is on 31.05.2022.

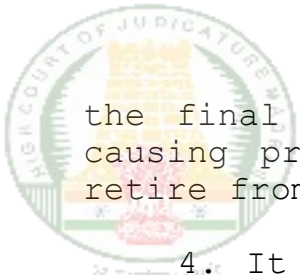
For Petitioner : Mr.S.Visvalingam
For Respondents : Mr.A.K.Manikkam,
Special Government Pleader

O R D E R

The relief sought for in the present writ petition is to direct the first respondent to obtain the enquiry report from the Enquiry Officer and pass final orders on the disciplinary action initiated in his charge memo No.Ser 2(4)/39622-7-2016 dated 05.05.2020 within a specified time frame that may be fixed by this Court, considering the fact that the petitioner's date of superannuation is 31.05.2022.

2. The petitioner is working as Godown Manager in the cadre of Tahsildar in TASMAL, Sivagangai. The disciplinary proceedings were initiated against the petitioner by the Commissioner of Revenue Administration, Chennai in proceedings dated 05.05.2020. The petitioner participated in the process of enquiry.

3. The learned counsel appearing for the petitioner made a submission that the Enquiry Officer concluded the proceedings and submitted his report. While so, the first respondent has not passed



the final orders and pendency of the disciplinary proceedings is causing prejudice to the petitioner as the petitioner is due to retire from service on 31.05.2022.

4. It is needless to state that on initiation of disciplinary proceedings, the Authorities must ensure that all such proceedings are concluded within a reasonable period. Long pendency of departmental disciplinary proceedings would cause prejudice to the interest of the employees as their promotional opportunities are denied and in the present case, the petitioner is due to retire from service on 31.05.2022.

5. This being the factum, the first respondent is directed to complete the disciplinary proceedings in all respects and pass final orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. The petitioner is directed to co-operate for early disposal of the departmental disciplinary proceedings. In the event of any non-co-operation on the part of the petitioner, the same shall be recorded by the Competent Authority in proceedings itself. In such circumstances, the petitioner is not entitled for any relief on the ground of delay in disposal of the disciplinary proceedings.

6. Accordingly, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (Crl.Side)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

ssb

To

1.The Additional Chief Secretary/Commissioner of
Revenue Administration,
Ezhilagam, Chepauk,
Chennai-600 005.

2.The District Collector,
Sivagangai District, Sivagangai.

+1 CC to M/s.S. VISVALINGAM, Advocate (SR-19976[F] dated 21/04/2022)
+1 CC to M/s.SPL.G.P. (SR-19786[F] dated 20/04/2022)

W.P.(MD) No.7269 of 2022

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