



W.P.(MD)No.7341 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED:16.12.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD)No.7341 of 2020
and
W.M.P(MD)Nos.6791 & 6792 of 2020

Manikandan

... Petitioner

Vs.

1.The State of Tamilnadu,
Rep. by Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Secretariat,
Chennai -600 009.

2.The Director,
Adi Dravidar Welfare,
Chepauk,
Chennai – 600 005.

3.The District Adi Dravidar and Tribaal Welfare Officer,
Trichy. ... Respondents

Prayer:Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus calling for the entire records pertaining to the impugned summon, dated 06.05.2020, in TDP.Case No.7A/2019 on the file of the Tribunal for Disciplinary Proceedings, Trichy and quash the same as illegal and consequently



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direct the respondents 2 & 3 to pass a final order in the case of the petitioner on the basis of the enquiry report, dated 14.09.2015, as well as the other documents on file.

For Petitioner : Mr.P.M.Vishnuvarthanan
For Respondents : Mr.S.P.Maharajan,
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned summon, dated 06.05.2020, in TDP.Case No.7A/2019 on the file of the Tribunal for Disciplinary Proceedings, Trichy and to direct the respondents 2 & 3, to pass a final order in the case of the petitioner on the basis of the enquiry report, dated 14.09.2015, as well as the other documents on file.

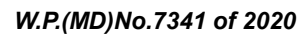
2. The case of the petitioner is that the petitioner was appointed as a Secondary Grade Teacher by the third respondent on 30.05.2005. He was recommended by the employment exchange with the qualification of M.Sc., B.Ed., and he joined duty on 06.06.2005 at GTR Primary School in Upiliapuram Union. Subsequently, he was transferred to various places in and around Trichy Union and in the year 2013, he was



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appointed as a Hostel Warden in Adi Dravidar Welfare Boys Hostel, Thiruverambur in Trichy Educational Union. While he was working as a Warden, he was given additional in-charge to the Government Adi Dravidar Welfare Department Industrial Training Students Hostel at Thiruverambur, Trichirapalli District. While so, he was placed under suspension vide proceedings, dated 04.09.2015 and seven charges were framed against him. Immediately, the petitioner also submitted an explanation for all the charges levelled against him. Subsequently, an Enquiry Officer was appointed and during enquiry, the petitioner was reinstated into service. However, till date, the second respondent has not passed any final order on the Disciplinary Proceedings. While the matter stood thus, the petitioner received a summon, dated 06.05.2020, from the Tribunal in TDP.Case No.7A/2019, to appear for enquiry on 25.09.2020. Challenging the same, the petitioner has filed this writ petition with the aforesaid prayer.

3. The learned counsel appearing for the petitioner would submit that without passing any final order in the disciplinary proceedings, the case was transferred to the Tribunal, which is totally unsustainable.



4. Heard the learned Special Government Pleader on the above submissions.

5. Considering the limited request made by the learned counsel for the petitioner, this Court, without going into the merits of the matter, directs the Tribunal for Disciplinary Proceedings, Trichy, to dispose of the case in TDP. Case No.7A/2019, within a period of three months from the date of receipt of a copy of this order, after providing opportunity to the petitioner.

6. With the above direction, this Writ Petition is disposed of.

No costs. Consequently, connected miscellaneous petitions are closed.

16.12.2022

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To

- 1.The Secretary to Government,
State of Tamilnadu,
Adi Dravidar and Tribal Welfare Department,
Secretariat,
Chennai -600 009.
- 2.The Director,
Adi Dravidar Welfare,
Chepauk,
Chennai – 600 005.
- 3.The District Adi Dravidar and Tribaal Welfare Officer,
Trichy.



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M.DHANDAPANI,J.

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