



WP(MD)No.16555 of 2022

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.07.2022**

CORAM:

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

W.P.(MD)No.16555 of 2022

I.John

... Petitioner

/vs./

1.The Agriculture Production Commissioner and
Secretary to the Government,
St.George Fort, Chennai.

2.The Chief Engineer,
Agricultural Engineering Department,
487, Anna Salai,
Nandanam, Chennai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondents 1 and 2 to pass separate final order in the disciplinary proceedings initiated against petitioner through Charge Memo O.Na.3/24853/2019-1 dated 05.12.2019 based on the request dated 12.05.2022 made by the petitioner within the time frame stipulated by this Court.

For Petitioner : Mr.V.P.Rajan

For Respondents : Mr.A.Sivanupandian
Government Advocate



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ORDER

The limited prayer sought for in the present writ petition is for a direction to the disciplinary authority to conclude the enquiry by passing a final order.

2.It is stated that pursuant to the charge memo, dated 05.12.2019, an enquiry was conducted and the report has also been filed by the enquiry officer. At this stage, there cannot be any impediment for the respondents to pass final orders within a stipulated time.

3.It is needless to point out that even prior to passing of the final order, the disciplinary authority is bound to give an opportunity to the petitioner to put forth his further explanation, pursuant to the enquiry report, in case, the report is against the delinquent officer.

4.In the light of the above observations, there shall be a direction to the first respondent herein to conclude the proceedings initiated through charge memo, dated 05.12.2019 by passing a final order, after giving due opportunity to the



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petitioner, within a period of eight (8) weeks from the date of receipt of a copy of this order. The writ petition stands allowed, accordingly. No costs.

27.07.2022

Index : Yes / No

Internet : Yes / No

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TO:

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M.S.RAMESH, J.

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