

**HONOURABLE SRI JUSTICE N.V.SHRAVAN KUMAR**

**WRIT PETITION No. 39029 OF 2022**

**ORDER:**

Heard learned counsel for the petitioner and learned Government Pleader for Services appearing for the respondents. With the consent of both the parties, the writ petition is being taken up for disposal at the admission stage itself.

2. This present writ petition is filed seeking issuance of writ of mandamus to declare the action of the respondent in not finalizing the departmental proceedings initiated by issuing the Article of Charges in Charge Memo No.2812/OP/A1/2020 dated 6.02.2021 inspite of submitting reply on 24.02.2021 and keeping the disciplinary proceedings pending contrary to Government instructions issued in Circular Memo No.35676/Ser.C/98-I G.A.(Ser.C) department and Circular Memo No.24637/Serv.C/2000-2 GA (Ser.C) department as illegal arbitrary and violation of Article 14 16 and 21 of Constitution of India and consequentially direct the respondents to finalize the disciplinary proceedings within 2 months failing which the disciplinary proceedings stands closed.

3. Though various grounds are raised in the writ petition, learned counsel for the petitioner restricts his prayer seeking a direction to respondents to finalize the petitioner's disciplinary proceedings vide Charge Memo No.2812/OP/A1/2020, dated 06.02.2021 within a period of two months. Learned counsel for the petitioner also brought to the notice of this Court the Circular Memo No.35676/Ser.C./98-1, G.A.(Ser.C), Department Dated 01.07.1998, wherein paragraph 5 reads as:

*"It is been decided that in simple cases the enquiry initiated shall be completed within 3 months either by Departmental Officers or Commissioner of Inquired. In Complicated cases, it shall be ensured that the enquiry should be completed within 5 to 6 months. "*

4. Learned Government Pleader for Services submits that if the petitioner's departmental disciplinary proceedings is still pending, the respondent authorities may be directed to finalize the departmental disciplinary within a time bound period.

5. In view of the submission made by learned counsel for the petitioner and learned Government Pleader for Services and without expressing any opinion on merits of the case, this writ petition is disposed of, directing the respondents authorities to

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finalize the petitioner's departmental disciplinary proceedings and pass appropriate orders strictly in accordance with law as expeditiously as possible, preferably within a period of three (3) months from the date of receipt of the order, after giving a fair opportunity of hearing to the petitioner and communicate the same to the petitioner.

6. Accordingly, this writ petition is disposed of. Miscellaneous application, if any pending, shall stand closed. No order as to costs.

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**N.V.SHRAVAN KUMAR,J**

20.10.2022  
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