



W.P.No.2003 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.07.2023

CORAM :

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

Writ Petition No.2003 of 2020
and WMP.Nos.2343 & 2344 of 2020

C. Periyasamy

... Petitioner

Vs.

1. The Agricultural Production Commissioner
and Principal Secretary to Government
Government of Tamil Nadu
Agriculture Department,
Fort St.George, Chennai – 9.

2. The Director of Agriculture
Directorate of Agriculture,
Chepauk, Chennai – 5.

... Respondents

PRAYER: Writ Petition filed under Article 226 of Constitution of India, praying for issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned order passed in G.O.(3D) No.71, Agriculture (AA2) Department, dated 31.05.2019 as well as the consequential order passed in G.O.Ms.(3D) No.72, Agriculture (AA2) Department dated 31.05.2019 issued by the 1st respondent and quash the same and consequently direct the respondents to pay all retirement benefits to the petitioner.



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For Petitioner : Mr.P.Navaneetha Krishnan
For Respondent : Mr.C.Meera Arumugam
Additional Government Pleader

ORDER

The petitioner has filed this petition to call for the records relating to the impugned order passed in G.O.(3D) No.71, Agriculture (AA2) Department, dated 31.05.2019 as well as the consequential order passed in G.O.Ms.(3D) No.72, Agriculture (AA2) Department dated 31.05.2019 issued by the 1st respondent and quash the same and consequently direct the respondents to pay all retirement benefits to the petitioner.

2. The learned Additional Government Pleader appearing for the respondents has filed an additional counter affidavit on behalf of the second respondent and the relevant paragraph is extracted as hereunder:-

“8. It is submitted that with regard to the vigilance case initiated against the petitioner, it is humbly putforth, that upon investigation, the Director of Vigilance and Anti Corruption department, came up with a consensus, that there is prima facie in the case registered against the petitioner. Thereafter, the Director of Vigilance and Anti Corruption informed the first respondent herein to initiate appropriate departmental



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disciplinary action. Following the same, the second respondent herein, vide Charge Memo VCS3/17568/2019(11), dated 23.06.2023, initiated disciplinary action under rule 17(b) of the Tamil Nadu Civil Services (Discipline & Appeal) Rule. The said charge memo was served to the petitioner on 27.06.2023, thereby invoking rule 18(c) of the Tamil Nadu Civil Services (Discipline & Appeal) Rule”.

3. In view of the above, the petitioner is directed to give explanation to the charge memo dated 27.06.2023 within a period of two weeks from the date of receipt of a copy of this order and the respondents shall complete the enquiry within a period of four months thereafter. In the meantime, the respondents are directed to settle the gratuity amount to the petitioner.

4. With the above direction this writ petition stands disposed of. No costs. Consequently connected miscellaneous petitions are also closed.

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Speaking Order : Yes/No

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J. SATHYA NARAYANA PRASAD, J.

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