



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.01.2023

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.2230 of 2023

G.Balasubramanyam

Petitioner

vs.

1.The Commissioner of Rural Development and Panchayat Raj,
Panagal Building,
Saidapet, Chennai – 600 015.

2.The District Collector,
Thiruvallur District,
Thiruvallur.

Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents 1 and 2 to pass final orders on the disciplinary proceedings initiated under Rule 17(a) on 26.01.2020 on the basis of the reply/explanation dated 07.10.2021 on merits and in accordance with law within a time to be stipulated by this Court.

For Petitioner : Ms.N.R.Jasmine Padma

For Respondents : Mrs.R.Vijaya Devi
Government Advocate

**ORDER**

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This writ petition has been filed for issue of writ of mandamus directing the respondents to pass final orders in the disciplinary proceedings initiated in the year 2020 and to settle all the retiral benefits to the petitioner.

2.The case of the petitioner is that while he was working as a Block Development Officer, a charge memo came to be issued against him through proceedings dated 26.01.2020 invoking Rule 17(a) of the Tamil Nadu Civil Service (Discipline and Appeal) Rules. The petitioner refuted the charge and also submitted his explanation. In the meantime, the petitioner attained his superannuation. But however, the 2nd respondent through proceedings dated 30.09.2022 permitted the petitioner to retire and disciplinary proceedings was directed to be continued under Rule 9 of the Tamil Nadu Pension Rules, 1979.

3.The grievance of the petitioner is that there has been absolutely no progress in the disciplinary proceedings for more than two years and hence, the retiral benefits of the petitioner has not been settled. Hence, the petitioner has approached this Court seeking for appropriate directions for completion of the disciplinary proceedings, within a time frame.



4. Heard Ms.N.R.Jasmine Padma, learned counsel appearing on behalf of the petitioner and Mrs.R.Vijaya Devi, learned Government Advocate appearing on behalf of the respondents.

5. Taking into consideration the limited relief sought in the present writ petition and without going into the merits of the case, there shall be a direction to the 2nd respondent to complete the disciplinary proceedings against the petitioner, within a period of three months from the date of receipt of copy of this order and pass final orders on its own merits and in accordance with law. Depending upon the final orders in the disciplinary proceedings, it is left open to the petitioner to seek for his retiral benefits. The petitioner shall make a fresh representation to the 2nd respondent along with all the relevant documents and also a copy of this order.

6. This writ petition is disposed of with the above direction. No Costs.

27.01.2023

Index : Yes/No
Internet : Yes/No
Speaking Order/Non-Speaking Order
Neutral Citation Case : Yes/No
SSR



N. ANAND VENKATESH, J.

SSR

To

- 1.The Commissioner of Rural Development and Panchayat Raj,
Panagal Building,
Saidapet, Chennai – 600 015.
- 2.The District Collector,
Thiruvallur District,
Thiruvallur.

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