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W.P. No. 8470 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.03.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 8470 of 2023

and

W.M.P. No. 8672 of 2023

T. Kumar

... Petitioner

-VS-

1. The Commissioner of Municipal Administration,
No. 75, Santhome High Road,
MRC Nagar, Raja Annamalaipuram,
Chennai – 600 028.

2. The Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Chennai – 600 009.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the First and Second Respondents to complete the proceedings initiated against the Petitioner in Roc.No.7089/17/V2 dated 15.02.2019 within a reasonable period as may be fixed by this Hon'ble Court considering the fact that the Petitioner is to retire from service on attaining the age of superannuation on 30.03.2023.



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For Petitioner : Mr. T.Ranganathan

For Respondents : Mr. B.Vijay,
Additional Government Pleader

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ORDER

Heard Mr. T.Ranganathan, Learned Counsel for the Petitioner and Mr. B.Vijay, Learned Additional Government Pleader appearing for the Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The Petitioner, while working as Commissioner of Vellore Municipality Corporation during the period from April 2014 to March 2015, had been issued charge-memo dated 15.02.2019 under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1955, and he has filed this Writ Petition seeking direction to complete the said disciplinary proceedings before he attains the age of superannuation on 30.06.2023.

3. The Respondents have filed Counter-Affidavit dated 21.03.2023 stating that it was the Petitioner who was not co-operating for conduct of the disciplinary proceedings and that necessary instructions to complete the same by 15.04.2023 have been issued to the concerned authorities in that regard.



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4. It shall be incumbent upon the concerned authorities to carry out the said undertaking within the stipulated time limit. It is needless to add here that no view is expressed on the merits of the controversy and if either of the parties are not co-operating with other in that regard, the other parties is not precluded from working out his remedies before the proper forum in the manner recognized by law,

In the result, the Writ Petition is disposed on the aforesaid terms. No costs.

skr

21.03.2023
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Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 21.08.2023

To

1. The Commissioner of Municipal Administration,
No. 75, Santhome High Road,
MRC Nagar, Raja Annamalaipuram,
Chennai – 600 028.
2. The Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Chennai – 600 009.



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P.D. AUDIKESAVALU, J.

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