



WEB COPY



W.P.Nos.13241 and 13243 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.06.2023

CORAM :

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE P. DHANABAL

W.P.Nos.13241 and 13243 of 2023

S.Siraj Khan

... Petitioner in
both writ petitions

Vs.

1. Union of India, Rep. by Under Secretary,
Ministry of Commerce and Industry,
Department of Commerce, Udyog Bhawan,
New Delhi 110 107.
2. The Development Commissioner,
Office of the Development Commissioner,
MEPZ Special Economic Zone, Department of Commerce,
National Highways-45, Tambaram,
Chennai 600 045.
3. The Joint Development Commissioner,
Office of the Development Commissioner,
MEPZ Special Economic Zone, Department of Commerce,
National Highways-45, Tambaram,
Chennai 600 045.



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4. The Deputy Development Commissioner,
Office of the Development Commissioner,
MEPZ Special Economic Zone, Department of Commerce,
National Highways-45, Tambaram,
Chennai 600 045.

5. Executive Assistant,
Office of the Development Commissioner,
MEPZ Special Economic Zone, Department of Commerce,
National Highways-45, Tambaram,
Chennai 600 045.

... Respondents in both
writ petitions

Prayer in W.P.No.13241 of 2023: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling upon the records in order dated 10.03.2023 in O.A.No.578 of 2021 passed by the Central Administrative Tribunal, Chennai and quash the same.

Prayer in W.P.No.13243 of 2023: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling upon the records in order dated 10.03.2023 in O.A.No.443 of 2020 passed by the Central Administrative Tribunal, Chennai and quash the same.

In both writ petitions

For Petitioner : Mr.S.Harinyi

For Respondents : Mr.A.R.Sakthivel, Senior Panel Counsel



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COMMON ORDER

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(Order of the Court was delivered by D.KRISHNAKUMAR, J.)

Both the writ petitions have been filed to quash the order dated 10.03.2023 passed in O.A.No.443 of 2020 and O.A.No.578 of 2021 by the Central Administrative Tribunal, Chennai.

2. It is seen from the records that the petitioner was working as Upper Divisional Clerk in the office of the Development Commissioner, Department of Commerce, Tambaram, Chennai-45 and he was issued suspension order dated 08.09.2020 and charge memo dated 06.10.2020 by the Department. Challenging the above orders, the petitioner has filed O.A.No.443/2020 and O.A.No.578/2021 respectively before the Central Administrative Tribunal, wherein, the Tribunal has decided the matters against the petitioner, vide orders dated 10.03.2023. Challenging the above said orders, the petitioner has filed the present writ petitions.

3. The learned counsel appearing for the petitioner submitted that, pending writ petitions, enquiry has been conducted and completed and enquiry report was filed before the second respondent/disciplinary authority.



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He further submitted that the petitioner was allowed to retire from service, on attaining the age of superannuation and hence, the second respondent, who is the disciplinary authority may be directed to pass final orders.

4. Recording the submission, the second respondent is directed to pass final orders in the disciplinary proceedings pending against the petitioner, in accordance with law, as contemplated under the Rules, within a period of eight weeks from the date of receipt of a copy of this order. It is left open to the petitioner to agitate all his grievance before the disciplinary authority, if he so advised.

5. With the above direction, W.P.No.13241/2023 and W.P.No.13243/2023 are disposed of. No costs.

(D.K.K.J.)

(P.D.B.J.)

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