



WEB COPY



W.P.No.26713 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.26713 of 2022
and W.M.P.Nos.25772 & 25774 of 2022

M. Maheswari

... Petitioner

Vs.

1.The Director of Survey and Settlement,
Survey House,
Chepauk,
Chennai – 600 005.

2.The Assistant Director of Survey and Land Records,
Namakkal District,
Namakkal.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the entire records pertaining to order of 1st respondent dated 29.07.2022 in Rc.Y2/00320/2019[sy][1] and to quash the same as illegal and further direct the respondents 1 and 2 to consider the petitioner's representation dated 05.08.2022 and permit the petitioner to retire from 31.07.2022 with all the departmental benefits.



WEB COPY



W.P.No.26713 of 2022

For Petitioner : Mr.A. Gouthaman

For Respondents : Mr.P. Gurunathan,
Additional Government Pleader

ORDER

The petitioner challenges the order of suspension dated 29.07.2022, which has been made in view of the pendency of the charges under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules (hereinafter called as 'the Rules'). Admittedly, the departmental proceedings dated 10.06.2022 are still pending against the petitioner, apart from the criminal case initiated by the Vigilance and Anti Corruption Department.

2. When both the departmental proceedings, as well as the criminal case of DVAC are pending, there cannot be any infirmity in the action initiated by the respondents, by invoking Rule 17(e) of the Rules and placing the petitioner under suspension. Thus, the various grounds raised by the petitioner, challenging the suspension order cannot be sustained. Even otherwise, if the petitioner has not challenged the Charge Memo dated 10.06.2022, interference in the suspension order, is not feasible.



W.P.No.26713 of 2022

WEB COPY

3. Under G.O.(Ms).No.81, Human Resources Management (N) Department dated 04.08.2022, the Government had issued a compendium of instructions and have also fixed a title for disposal of the departmental proceedings. In view of this Government Order, this Court would be justified in fixing the time limit for completion of the departmental proceedings.

4. In the light of the above findings, the Writ Petition stands dismissed. Accordingly, there shall be a direction to the first respondent herein, to complete the departmental proceedings initiated against the petitioner, pursuant to the Charge Memo dated 10.06.2022, within a period of three (3) months from the date of receipt of a copy of this order. No costs. Connected miscellaneous petitions are closed.

19.06.2023

Speaking order/Non-speaking order

Index: Yes/No

Neutral Citation: Yes/No

Sni



WEB COPY



W.P.No.26713 of 2022

M.S.RAMESH,J.

Sni

To

- 1.The Director of Survey and Settlement,
Survey House,
Chepauk,
Chennai – 600 005.
- 2.The Assistant Director of Survey and Land Records,
Namakkal District,
Namakkal.

W.P.No.26713 of 2022

19.06.2023