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W.P.No.33356 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.33356 of 2023
and W.M.P.No.33084 of 2023

M. Padmanabhan

... Petitioner

Vs.

1.The Director of Social Welfare
and Women Empowerment Department,
Saidapet, Chennai – 15.

2.The Director cum Mission Director of ICDS,
Tharamani,
Chennai – 600 113.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent herein to pass final order in the disciplinary proceedings initiated against the petitioner in Na.Ka.No.26800/Admn.5(2)/2022 dated 27.9.2022 within reasonable time and consequently confer all the retirement benefits to the petitioner with due regards to petitioner's seniority.

For Petitioner : Mr.R.S. Anandan

For Respondents : Mr.V.P.R. Elamparithi,
Additional Government Pleader



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ORDER

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With the consent of both the parties, this Writ Petition is taken up for final disposal at the admission stage itself.

2. In connection with the Charge Memo dated 27.09.2022, framed under Rule 17(B) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, the petitioner was subjected to an inquiry. Though, more than one year has passed since the charges were framed, the inquiry is still pending. In this background, the petitioner has sought for a direction to the Disciplinary Authority to complete the inquiry, within a stipulated time.

3. In service jurisprudence, when the inquiry is kept pending without conclusion, for an inordinate period, this Court has frowned upon such inaction and had also interfered and quashed the Charge Memos on the ground of pendency for a long period. However, in this case, this Court is of the view that the respondents can be directed to expedite the inquiry and pass final orders in the stipulated time.



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4. In the light of the above discussion, there shall be a direction to the respondents herein, to complete the disciplinary proceedings initiated against the petitioner, if not already completed, within a period of three (3) months from the date of receipt of a copy of this order.

5. With the above direction, the Writ Petition stands disposed of.

No costs. Connected miscellaneous petition is closed.

28.11.2023

Index:Yes/No

Speaking order/Non-speaking order

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To

- 1.The Director of Social Welfare
and Women Empowerment Department,
Saidapet, Chennai – 15.
- 2.The Director cum Mission Director of ICDS,
Tharamani,
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M.S.RAMESH,J.

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