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W.P.(MD)NO.9509 OF 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.9509 of 2023 and
W.M.P.(MD)Nos.8482 & 8483 of 2023

S.Rukmani

... Petitioner

Vs.

1. The District Collector,
O/o.The District Collector,
Trichy.
2. The Block Development Officer,
Panchayat Union,
Musiri,
Trichy District.
3. The Block Development Officer,
Panchayat Union,
Andhanallur, Trichy District.
4. The Block Development Officer,
Thottiam Union,
Thottiam,
Trichy District.

... Respondents

Prayer: Writ petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the order passed by the 1st respondent in his proceedings in Na.Ka.Th8/4934/2019 dated 12.06.2019 and



Na.Ka.Th7/998/2023 dated 14.02.2023 and quash the same and consequently direct the respondent to consider the voluntry retirement service representation sent by the petitioner dated 12.12.2019 to 1st respondent.

For Petitioner : Mr.V.Pannerselvam,
for Mr.P.Sujai Krishna.

For R-1 : Mr.K.Balasubramani,
Special Government Pleader.

For R-2 to R-4 : Mr.S.Kameswaran

* * *

ORDER

Heard the learned counsel on either side.

2. The petitioner challenges the impugned charge memos primarily on the ground that the petitioner has already submitted an application for going on voluntary retirement and that the charge itself is only for unauthorised absence. The scope for interfering at the stage of charge memo is fairly limited. This case will not fall under such exceptional circumstances. At the same time, the medical condition of the petitioner must be taken note of. She has already given an



application for voluntary retirement. The charge memo was issued as early as on 12.06.2019. It is stated that at present the petitioner is facing two disciplinary proceedings. Both are for the alleged act of unauthorised absence.

3. The first respondent is directed to conclude both disciplinary proceedings and pass final order on merits and in accordance with law within a period of sixteen weeks from the date of receipt of a copy of this order.

4. This writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

24.04.2023

NCS : Yes / No
Index : Yes / No
Internet : Yes / No
PMU

Note : Issue order copy on 25.04.2023.



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W.P.(MD)NO.9509 OF 2023

G.R.SWAMINATHAN,J.

PMU

To:

1. The District Collector,
O/o.The District Collector,
Trichy.
2. The Block Development Officer,
Panchayat Union,
Musiri,
Trichy District.
3. The Block Development Officer,
Panchayat Union,
Andhanallur, Trichy District.
4. The Block Development Officer,
Thottiam Union,
Thottiam,
Trichy District.

W.P.(MD)No.9509 of 2023

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