



W.P(MD)No.10088 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 26.04.2023

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.10088 of 2023

A.Murugan

... Petitioner

Vs.

1.The Commissioner of Town Panchayats,
7th and 8th Floor, Urban Administrative Building,
No.75, Santhome High Road,
MRC Nagar, R.A.Puram,
Chennai-600 028.

2.The Assistant Director of Town Panchayats,
Tirunelveli Zone,
Collectorate Buildings,
Tirunelveli.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned orders in charge memos issued by the first respondent in his proceedings in Na.Ka.No.11527/2017²⁰¹⁷ dated 30.06.2022 and the consequential orders of the first respondent in Roc.No.7895-1/2022/A1, dated 30.06.2022 and in Roc.No.7895/2022-2/A1, dated 30.06.2022 and quash the same and further direction to the respondents to grant pension and all other monetary benefits to the petitioner within stipulated time may be fixed by this Court.



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For Petitioner : Mr.V.Karthikeyan

For Respondents : Mr.G.Suriyananth
Additional Government Pleader

ORDER

Heard the learned counsel on either side.

2. The petitioner was working as Executive Officer (accounts). He reached the age of superannuation on 30.06.2022. He was however not allowed to retire. He was placed under suspension. The charge memo was issued. Challenging the same, this writ petition has been filed.

3. The learned counsel appearing for the petitioner reiterated all the contentions set out in the affidavit filed in support of the writ petition and grant relief as prayed for.

4. Since factual aspects are involved, I am not in a position to consider the contentions advanced by the learned counsel for the petitioner. At the same time, the petitioner's fate cannot be left hanging in the air indefinitely. The respondents are directed to conclude the disciplinary action and pass final order on merits within a period of six months from the date of receipt of a copy of



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this order. In other words, all the stages of the disciplinary proceedings including holding of enquiry, submission of enquiry report, obtaining further representation as well as passing final order will be finished during this period.

5. The learned counsel appearing for the petitioner states that the documents sought for by the petitioner have to be furnished. The petitioner is permitted to give the list of documents required by him before the enquiry officer. The petitioner has given a request letter for being furnished with certain documents. It is well settled that the delinquent employee is entitled to get all the relevant documents that are necessary to establish his defence. The petitioner's request will be considered appropriately. I make it clear that I have not gone into the merits of the matter. All the defences of the petitioner are left open.

6.The Writ Petition is disposed of accordingly. No costs.

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Index : Yes / No

Internet : Yes/ No

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To

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2.The Assistant Director of Town Panchayats,
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