



W.P.(MD) No.14894 of 2020

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2023

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.(MD) No.14894 of 2020

Natarajan

... Petitioner

-VS-

1.The Director

Tamil Nadu Motor Transport and Maintenance Department
Velachery, Chennai.42

2.The Regional Deputy Director

Government Auto Mobile Workshop
Trichy 23.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the records relating to the revised charge sheet No.A1/13791/2019 dated 22.11.2019 on the file of the 1st respondent herein and quash the same consequently directing the respondents allow the petitioner to retire from the service along with all benefits.



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For Petitioner : Mr.V.Ilanchezhian

For Respondents : Ms.K.Christy Theboral
Additional Government Pleader

ORDER

The petitioner has filed this writ petition challenging the impugned order of the 1st respondent dated 22.11.2019 and for a direction to the respondents to allow the petitioner to retire peacefully.

2. The case of the petitioner in nutshell is as follows:

The petitioner was appointed as Technical Assistant under the 2nd respondent. He was about to retire on 31.01.2019. While the petitioner was working in the Government Automobile Workshop at Trichy between 01.07.1999 and 19.02.2007, a false charge was framed against him under Prevention of Corruption Act, for which, he was placed under suspension on 20.02.2007. Pursuant to which, a criminal case was registered against him in Crime No.2/2007 under Section 7 of the Prevention of Corruption Act and a charge memo was also issued under Section 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules on 13.03.2007 and the petitioner has



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also given his reply on 19.03.2007. After full-fledged trial, the petitioner was acquitted on 31.01.2019. While so, though the petitioner was acquitted, his services were retained under Section 56(1)(C) of the Fundamental Rules. The respondents have not filed any appeal against the said acquittal. Subsequently, a letter came to be issued against the petitioner on 26.08.2019 calling upon the petitioner for enquiry on 04.09.2019. Therefore, the petitioner made a representation on 18.09.2019 to disburse the retirement benefits. Since the same has not been considered, the petitioner filed W.P. (MD) No.23838 of 2019, which is pending. When things stood thus, the 1st respondent issued a revised charge memo on 22.11.2019 for the very same set of allegation/charge. Challenging the same, the petitioner is before this Court with this writ petition.

3. When the writ petition was taken up for hearing, the learned counsel for the petitioner restricted his prayer to the effect that if a direction is issued to the respondents to conclude the departmental proceedings, the petitioner would be satisfied.



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4. Heard the learned Additional Government Pleader, who would submit that she has no objection for the prayer now made.

5. In view of the above submission and in view of the limited relief that has been now sought for, the writ petition is disposed of by directing the respondents to conclude the departmental proceedings within a period of six months from the date of receipt of a copy of this order. No costs.

31.01.2023

NCC : Yes/No
Index : Yes/No
Internet : Yes

RR

To

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M.DHANDAPANI, J.

RR

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