



W.P.(MD).No.16636 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.07.2023

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.16636 of 2023

S.Ganesan

... Petitioner

Vs.

1.The Principal Secretary,
Government of Tamil Nadu,
Rural Development & Panchayat Raj Department,
St. George Fort,
Chennai-600 009.

2.The District Collector,
Collectorate,
Pudukkottai District.

3.The Block Development Officer,
Gandarvakkottai Panchayat Union,
Gandarvakkottai,
Pudukkottai District.

4.M.Vasudevan,
The Inquiry Officer,
Secretary,
District Panchayat,
Pudukkottai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the fourth respondent to complete the inquiry assigned by the second respondent vide her proceedings



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R.C.No.2764/2021/P7 (Dev.), dated 23.02.2023 expeditiously and send report to the first respondent.

For Petitioner : Mr.K.C.Maniyarasu

For Respondents : Mr.D.S.Nedunchezhiyan
Government Advocate

ORDER

The present writ petition has been filed seeking direction to the fourth respondent to complete the inquiry assigned by the second respondent vide her proceedings R.C.No.2764/2021/P7 (Dev.), dated 23.02.2023 expeditiously and send report to the first respondent.

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

3. The petitioner was working as Deputy Block Development Officer (MGNREGS), Gandarvakkottai. On 29.12.2022, the second respondent issued a charge memo under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1955 vide proceedings, dated 17.11.2022 and called upon the petitioner to submit his defense within 15 days. The petitioner tendered his



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detailed reply on 06.01.2023 to the charge memo of the second respondent and requested to drop further proceedings. However, without considering the petitioner's explanation, the fourth respondent is appointed as Inquiry officer on 10.07.2023. However, the Inquiry officer has not fixed the date of hearing so far and the matter is being prolonged endlessly. Hence, the petitioner made a representation on 25.03.2023 to the respondents 1, 2 and 4 seeking to complete the enquiry and send a report to the first respondent at the earliest. His representation was received by the second respondent and it was informed that appropriate orders will be passed. However, no further orders are passed so far, hence, this writ petition came to be filed.

4. Heard the learned Counsel for the petitioner and the learned Government Advocate for the respondents and carefully perused the materials available on record.

5. The learned Government Advocate for the respondents would submit that in view of the fact that the fourth respondent has been appointed as an Inquiry officer, there is no doubt that the enquiry will be definitely completed within a period of six months.



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6. In view of the said submission of the learned Government Advocate, this Court is inclined to direct the respondents not to prolong the enquiry, beyond a period of six (6) months, complete the enquiry and sent a report to the first respondent within a period of six (6) months from the date of receipt of a copy of this order.

7. With the above said observation, this writ petition stands disposed of.
There shall be no order as to costs.

11.07.2023

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

To

1.The Principal Secretary,
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St. George Fort,
Chennai-600 009.

2.The District Collector,
Collectorate,
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3.The Block Development Officer,
Gandarvakkottai Panchayat Union,
Gandarvakkottai,
Pudukkottai District.

4.The Inquiry Officer,
Secretary,
District Panchayat,
Pudukkottai.

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