



W.P.(MD).No.25007 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.11.2023

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THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD).No.25007 of 2023

and

W.M.P.(MD) Nos.21201 and 21202 of 2023

K.Murugesan

... Petitioner

Vs.

1.The Principal Secretary,
Commercial Tax and Registration Department,
Secretariat,
Chennai 600 009.

2.The Commissioner,
Tribunal for Disciplinary Proceedings,
4/929, 40 feet road,
Rahmath Nagar,
Tirunelveli 11.

3.The Inspector General of Registration,
Santhome Highway Road,
Mylapore,
Chennai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the 2nd respondent vide



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TDP No.7/2012 dated 24.12.2014 and the consequential proceeding in Letter No.1186/H/2013-30 dated 22.03.2019 on the file of the 1st respondent and to quash the same as illegal, arbitrary and consequently to direct the respondents to continue paying all the pensionary benefits based on petitioner's representations dated 07.01.2016, 06.05.2019 and 20.01.2023.

For Petitioner : Mr.S.Ramanathan

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

The present writ petition has been filed by a retired District Registrar challenging the show cause notice issued by the Disciplinary Authority seeking for explanation from the writ petitioner with regard to the proposed punishment of permanent cut of 1/3rd of eligible pension.

2.According to the writ petitioner, he attained superannuation on 31.12.2009 and the disciplinary proceedings as against him continued and final orders were passed on 24.12.2014 finding him guilty. Based upon the said finding of the Tribunal, the impugned show cause notice has been issued by the Disciplinary Authority on 22.03.2019 calling for explanation within a period of



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15 days. Pursuant to the said show cause notice, the writ petitioner has submitted his explanation on 06.05.2019 and 20.01.2023.

3.Trajectory of events narrated above will clearly indicate that the writ petitioner has already submitted his explanation to the show cause notice issued by the Disciplinary Authority for the proposed punishment. Therefore, the files are pending with the first respondent for passing final orders.

4.In view of the aforesaid fact, the first respondent herein is directed to pass final orders after carefully considering the explanation submitted by the writ petitioner on 06.05.2019 and 20.01.2023, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

5.With the above said observation, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petitions are closed.

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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R.VIJAYAKUMAR, J.

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