



W.P.No.794 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.03.2024

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THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.794 of 2021
and W.M.P.Nos.867 & 868 of 2021

M.Pushpalatha

... Petitioner

/vs/

1. The District Collector,
Chingleput District,
Chingleput.
2. The District Collector,
Kancheepuram District,
Kancheepuram.
3. The Commissioner of Revenue Administration,
Chepauk, Chennai – 5.
4. The Secretary to Government,
Revenue Department,
Fort St. George,
Chennai – 9.

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India
to issue a writ of certiorarified mandamus to call for the records of the first



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respondent in connection with the impugned order passed in Na.Ka.No.17036/A1/2018 dated 03.12.2020 and the consequential impugned charge memo issued by the first respondent in Na.Ka.No.17036/2018/A1 dated 03.12.2020 and quash the same and direct the respondents to proceed with the earlier disciplinary proceedings initiated against the petitioner in Na.Ka.No.17036/2018/A3 dated 10.11.2018, complete the same within a stipulated time.

For Petitioner ... Ms.R.Deepika Sonali
for Mr.M.Muthappan

For Respondents ... Mr.R.Kumaravel
Additional Govt. Pleader for R1 to R4

ORDER

Heard Ms.D.Deepika Sonali, the learned counsel for the petitioner and Mr.R.Kumaravel, the learned counsel for R1 to R4.

2. The petitioner has filed this Writ Petition challenging the impugned order passed by the first respondent in Na.Ka.No.17036/A1/2018 dated 03.12.2020 and the consequential



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impugned charge memo in Na.Ka.No.17036/2018/A1 dated 03.12.2020 and to direct the respondents to proceed with the earlier disciplinary proceedings initiated against her in Na.Ka.No.17036/2018/A3 dated 10.11.2018.

3. A disciplinary proceeding has been initiated against the petitioner and it was pending for a long time. However, by virtue of an order dated 04.12.2020 passed in W.P.No.33032/2019, further time of three months has been given to complete the disciplinary proceedings.

4. Ms.D.Deepika Sonali, the learned counsel for the petitioner, submitted that despite there is no direction to cancel the earlier charge memo and issue a fresh charge memo. The first respondent cancelled the earlier charge memo and issued a fresh charge memo stating that the vigilance officials were not invited at the time of oral enquiry. It is further submitted that when the enquiry has already been completed and enquiry report was also available, it is unfair on the part of the first respondent to cancel the earlier charges and issue fresh charges. Aggrieved over which



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the petitioner has filed this writ petition.

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5. On 03.03.2021, this Court has passed an interim order by allowing the respondents to proceed with the enquiry proceedings initiated against the petitioner vide its proceedings dated 03.12.2020 and keep the final orders in a sealed cover. It is further stated that the proceedings of the first enquiry should be looked into by the Disciplinary Authority when final decisions is taken by the Disciplinary Authority with regard to the second charge memo.

6. When the matter is taken up today, it is learnt that the enquiry proceedings in respect of proceedings dated 03.12.2020 was continued and completed. As per the enquiry report, the charges against the petitioner were proved and he was imposed with the punishment of stoppage of increment for two years with cumulative effect. However, such order has not been served on the petitioner so far.



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7. Since the relief sought by the petitioner in respect of the proceedings dated 03.12.2020 has become infructuous and on the basis of the fresh enquiry report, order of punishment has also been passed, the third respondent is directed to furnish a copy of the said order to the petitioner. In case, if the petitioner is aggrieved with the said order, it is up to her to challenge the same by initiating appropriate proceedings.

8. With the above observation, this Writ Petition is disposed. No costs. Connected miscellaneous petitions are closed.

08.03.2024

Index: Yes / No
Speaking order / Non-speaking order
Neutral Citation Case : Yes / No
bkn

To:

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Chingleput.
2. The District Collector,
Kancheepuram District,
Kancheepuram.
3. The Commissioner of Revenue Administration,
Chepauk, Chennai – 5.



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4. The Secretary to Government,
Revenue Department,
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