



WEB COPY



WA No.1486 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

AND

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

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1.The Director of Town Panchayats
Urban Building Complex
7th and 8th Floor, Raja Annamalaipuram
Chennai-600028.

2.The Additional Director of Town Panchayat
Cuddalore Zone
Cuddalore District

3.The District Collector
Cuddalore District

... Appellants

versus

D.Chakkaravathi

... Respondent

PRAYER: Writ Appeal filed against the order of the learned Single Judge
in WP No.8649 of 2020 dated 02.08.2021.



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For the Appellants

:Mr.V.Manoharan

Additional Government Pleader

JUDGMENT

(Judgment of the Court was delivered by *D.KRISHNAKUMAR, J.*)

The Writ Appeal is filed against the order of the learned Single Judge in WP No.8649 of 2020 dated 02.08.2021.

2. Mr.V.Manoharan, learned Additional Government Pleader appearing for the appellant Department, on instructions, fairly stated that the order under challenge before the writ court is the impugned suspension order against the respondent and the said order came to be quashed by the Writ Court and the Writ Court had directed the appellant Department to reinstate the respondent herein in service. Challenging the said order of the writ court, the appellant Department has preferred the present intra-court.

3. Learned Additional Government Pleader further submitted that the private respondent namely the first respondent has attained the age of



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superannuation on 31.10.2023 and subsequently, another suspension order has been passed, to not to permit the respondent to retire from service and therefore, the said order passed by the writ court for reinstatement in service could not be executed by the appellant Department. He further submits that the respondent has not challenged the subsequent suspension order. Further, in such circumstances, he also fairly states that the appellant Department undertakes to conclude the disciplinary proceedings, at the earliest, within a stipulated time granted by this Court.

4. Considering the said submissions of the learned Additional Government Pleader appearing for the appellant Department, we are of the view that the Government has passed GO (Ms) No.81, Human Resources Management (N) Department dated 04.08.2022, wherein the Government has stated as follows:

"Where a Government Servant has been suspended on disciplinary proceedings contemplated, such proceedings should be initiated immediately and finalized normally within a period of six months."



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5. As per the aforesaid GO, the appellant department ought to have concluded the said disciplinary proceedings within the time limit prescribed under the Government Order. Therefore, we direct the appellant department to conclude the said disciplinary proceedings, as early as possible, within a period of three months, from the date of receipt of a copy of this order, after following the procedure as contemplated under the Rules.

6. With the above directions, the writ appeal stands disposed of. There shall be no order as to costs.

[D.K.K., J.] [K.B., J.]
06.06.2024

Index : Yes/No
Neutral Citation : Yes/No
mrn



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D.KRISHNAKUMAR, J.
and
K.KUMARESH BABU, J.

(mrn)

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