



WEB COPY



W.P.No.7350 of 2016

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 29.01.2024

C O R A M

THE HONOURABLE Dr.JUSTICE D.NAGARJUN

Writ Petition No.7350 of 2016 &

W.M.P.No.6559 of 2016

S.K.Rajagopalan

Formerly Administrative Officer,

[Deputy Collector Cadre]

[World Bank] ICDS

Now Director-cum-Mission Director Office,

Tharamani, Periyar Nagar, Chennai – 600 013.

... Petitioner

Vs

1. The Secretary to Government,

Revenue Department,

Fort St. George, Chennai 600 009.

2. The Commissioner of Revenue Administration,

Chepauk, Chennai 600 005.

3. The District-cum-Mission Director,

Tharamani, Periyar Nagar,

Chennai – 600 113.

4. The District Collector,

Kancheepuram District,

Kancheepuram 631 501.

... Respondents



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Prayer: Petition filed under Article 226 of the Constitution of India for the issuance of a writ of Certiorarified Mandamus to call for the records of the respondents in connection with the impugned Order passed by the first respondent in letter No.36133/Ser-2[3]/2008-34 dated 05.10.2015 and quash the same and direct the respondents to pass final orders in the disciplinary proceedings initiated by the first respondent in letter No.11839/Ser.X[1]/2002-26 dated 25.10.2006 under Rule 9 of the Tamil Nadu Pension Rules and also further direct the respondents to settle the retirement benefits within a reasonable time.

For petitioner	...	Mr.M.Vigneshraj for Mr.M.Muthappan
For respondents	...	Mr.S.Ravikumar Special Government Pleader

ORDER

This writ petition is filed seeking certiorarified Mandamus for quashment of the impugned Order passed by the first respondent dated 05.10.2015 wherein request of the petitioner to pass final Orders in the disciplinary proceedings initiated against the petitioner by the first respondent was declined on the ground that the criminal case in Spl.C.C.No.9 of 2005 registered against the petitioner was still pending on the file of the Chief Judicial Magistrate, Kancheepuram.



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2. Now it is submitted by the learned counsel appearing for the petitioner that on 11.12.2022, the Chief judicial Magistrate has disposed of the Spl.C.C.No.9 of 2005 finding the petitioner guilty of all the charges thereby the petitioner was convicted. It is submitted by the learned Special Government Pleader appearing for the respondents that basing on the conviction of the petitioner by the Chief Judicial Magistrate, Kancheepuram in Spl. C.C.No.9 of 2005, the respondent has reissued proceedings dated 24.01.2024 for recovery of the misappropriated money of Rs.42,82,500/-.

3. Now the enquiry proceedings are still pending before the respondent against the petitioner. This Writ Petition filed seeking for a direction to the respondents to complete the disciplinary proceedings and pass final Order. As the criminal case registered against the petitioner has already been disposed of, there is no impediment for the respondents to complete disciplinary proceedings and pass final orders.

4. Accordingly, this writ petition is disposed of directing the respondents to complete the disciplinary proceedings and pass final Orders as quickly as possible, not later than within a period of eight



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weeks from the date of receipt of a copy of this Order. Consequently,
connected miscellaneous petition is closed. No costs.

29.01.2024

vrc

Index: Yes/No

Neutral Citation: Yes/No

To

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Dr.D.NAGARJUN, J

VTC

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