



WEB COPY



W.A.No.673 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.06.2024

CORAM :

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

and

THE HONOURABLE MR.JUSTICE K. KUMARESH BABU

W.A.No.673 of 2022

1. The Chairman,
Tamil Nadu Generation and Distribution
Corporation Limited, TANGEDCO,
NPKRR Maaligai, 144, Anna Salai,
Chennai 600 002.
2. The Chief Engineer -Personnel,
Tamil Nadu Generation and Distribution
Corporation Limited, TANGEDCO,
NPKRR Maaligai, 144, Anna Salai,
Chennai 600 002.
3. The Chief Engineer-Distribution,
Tamil Nadu Generation and Distribution
Corporation Limited, TANGEDCO,
Vizupuram Region, Vizupuram.
4. The Superintending Engineer,
Thiruvannamalai Electricity,
Distribution Circle, (TANGEDCO),
Thiruvannamalai

... Appellants

Vs.

S.Murugan

... Respondent



W.A.No.673 of 2022

PRAYER: Writ Appeal filed under Clause 15 of Letters Patent Act to allow the writ appeal and thereby set aside the order dated 04.08.2021 made in W.P.No.16196 of 2018 on the file of this Court.

For Appellants : Mr. K.Rajkumar, Standing Counsel

For Respondents : Mr.Sai Shankar

JUDGMENT

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

This intra-court appeal has been filed, as against the order passed by the learned Single Judge in W.P.No.16196/2018, dated 04.08.2021, in and by which, *the appellants herein were directed to re-induct the respondent/ writ petitioner into any non sensitive post, away from the headquarters, where the disciplinary proceedings is pending against the petitioner and when the petitioner cannot indulge in any alleged corruption, on or before 01.09.2021.*

2. The respondent was placed under suspension on 10.11.2014 by the appellant/ Department and as against the above suspension order, he filed the writ petition, wherein, the learned single Judge has passed the order, as stated above.



W.A.No.673 of 2022

3. The learned standing counsel appearing for the appellants/ Department submitted that, the disciplinary proceedings as against the respondent is still pending, in which charges have been framed and enquiry officer yet to be appointed.

4. While allowing the writ petition, the learned Single Judge has observed as " *nothing precluded the respondents (appellants herein) to proceed with the disciplinary proceedings, independently, independent of the pending criminal proceedings in S.P.L.Case No.15/2015*". Considering the fact that the disciplinary proceedings is still pending against the respondent, we inclined to give direction to the appellant to conclude the disciplinary proceedings, pending against the respondent, within a time frame.

5. Accordingly, the appellant/Department is directed to proceed with the disciplinary proceedings pending against the respondent and to complete the same, within a period of four months from the date of receipt of a copy of this order and based upon the outcome of the disciplinary proceedings,



W.A.No.673 of 2022

the appellant/Department has to take further course of action as against the respondent. The respondent is also directed to co-operate the appellant to conclude the disciplinary proceedings, without any further delay.

6. With the above directions, this writ appeal is disposed of. No costs. In so far as reinstatement of the respondent is concerned, the direction passed by the learned Single Judge does not require interference at this point of time.

(D.K.K.J.) (K.B.J.)

10.06.2024

Internet: Yes/No
Index : Yes/No
mst



WEB COPY



W.A.No.673 of 2022

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

mst

W.A.No.673 of 2022

10.06.2024