



W.P.No.27690 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.09.2024

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THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.27690 of 2024

and

W.M.P.No.30207 of 2024

V.Ramesh

.. Petitioner

Vs.

1.The State of Tamil Nadu,
Rep by Principal Secretary to the Government,
Revenue and Disaster Management Department,
Secretariat, Fort St. George,
Chennai – 600 009.

2.Additional Chief Secretary /
The Commissioner of Revenue Administration,
Commissionerate of Revenue and Disaster Management,
Ezhilagam,
Chennai – 600 005.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the impugned charge memo issued against the petitioner by the 2nd respondent in the charge memo in Ku.Ku.No.2(5)/01-19010/119/2024 dated 27.06.2024, quash the same as arbitrary, illegal and consequently direct the respondents to permit the petitioner to retire from service with effect from 30.06.2024 i.e., on the date of attaining



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superannuation with all the attendant service, monetary and pensionary benefits.

For petitioner : Mr.N.Bhuvaneshwaran
For Respondents : Mr.S.Balamurugan
Government Advocate

ORDER

This writ petition has been filed challenging the proceedings of the 2nd respondent dated 27.06.2024, wherein a charge memo has been issued against the petitioner and for a consequential direction to the respondents to permit the petitioner to retire from service with all the service and monetary benefits.

2.Heard the learned counsel for the petitioner and the learned Government Advocate for the respondents.

3.The case of the petitioner is that he joined the 1st respondent department in the year 1990 as Typist. He was promoted as an Assistant in the year 2001 and thereafter, he was promoted as Deputy Tahsildar in the year 2010. The petitioner also got a further promotion to the post of Tahsildar in the year 2012 and finally he got promotion as Deputy



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Collector in the year 2021.

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4.The date of superannuation of the petitioner fell on 30.06.2024.

At that point of time, a charge memo was served on the petitioner by the 2nd respondent dated 27.06.2024. The petitioner was placed under suspension by proceedings dated 28.06.2024 and by an order dated 30.06.2024, the petitioner was not permitted to retire from service.

5.The petitioner is aggrieved by the charge memo issued against him and according to the petitioner, it is baseless and the respondent had chosen to wait till the end and issued such a charge memo at the verge of retirement. It is under these circumstances the present writ petition has been filed before this Court.

6.In the considered view of this Court, this Court is not inclined to interfere with the charge memo issued against the petitioner. However, the petitioner has already reached the age of superannuation and the uncertainty cannot continue endlessly. Therefore, it will suffice to fix a time limit for the completion of the departmental proceedings and to pass final orders.



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7.In view of the above, there shall be a direction to the 2nd respondent to complete the disciplinary proceedings within a period of three (3) months from the date of receipt of a copy of this order after affording sufficient opportunity to the petitioner. It is made clear that disciplinary proceedings will be concluded within the time frame fixed by this Court. The petitioner will cooperate for the completion of the disciplinary proceedings within the time frame and he should not make any attempts to delay the completion of the disciplinary proceedings. It goes without saying that the petitioner will be entitled to submit his explanation and the petitioner will also be given sufficient opportunity to defend himself.

8.In the result, this Writ Petition stands disposed of with the above directions. Consequently, the connected Miscellaneous Petition is closed.

No costs.

20.09.2024

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Index : Yes / No
Internet : Yes / No
Neutral Citation : Yes / No



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To

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N.ANAND VENKATESH, J.

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