



W.P.(MD).No.1913 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.01.2024

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

W.P.(MD).No.1913 of 2024

and

W.M.P.(MD)No.1922 of 2024

G.Sam Robust

... Petitioner

Vs.

1.The State of Tamil Nadu,
Represented by its Secretary
to Government,
Finance Department,
Secretariat,
Chennai-600 009.

2.The Director General of Audit,
O/o., Local Fund Audit,
Chennai-600 035.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the 2nd respondent to dispose the disciplinary proceeding pending before him against the petitioner in Na.Ka.No.2689/O.Na.1/2020 dated 20.09.2021 within the time limit that may be stipulated by this Court.



WEB COPY



W.P.(MD).No.1913 of 2024

For Petitioner : Mr.G.Thalaimutharasu

For Respondents : Mr.S.Shaji Bino,
Special Government Pleader

ORDER

The present writ petition has been filed seeking direction to the 2nd respondent to dispose the disciplinary proceeding pending before him against the petitioner in Na.Ka.No.2689/O.Na.1/2020 dated 20.09.2021 within the time limit that may be stipulated by this Court.

2. The brief facts which are necessary for the disposal of this Writ Petition is as follows:-

The petitioner was enlisted in the 2nd respondent department as Assistant Inspector on 13.07.2013 through direct recruitment and he was initially posted at Thoothukudi Corporation after completing 3 months of training conducted at Madurai. The petitioner was issued with 17(b) charge memo by the 2nd respondent vide proceedings dated 20.09.2021 on 2 counts of charges that the



W.P.(MD).No.1913 of 2024

petitioner has allowed pension to ineligible persons. Immediately, after receipt of charge memo, the petitioner made a representation to provide documents along with explanation denying all the charges. However, the 2nd respondent has appointed the Regional Joint Director, Local Fund Audit, Tirunelveli as enquiry officer who has conducted the enquiry proceeding and concluded that the 1st charge is proved as against the petitioner. The said report was also circulated by the petitioner on 11.09.2023. However, the order on the said report has not been passed by the 2nd respondent till date. Since the said charge disciplinary proceeding is pending till 20.09.2021, the present Writ Petition filed seeking direction to the 2nd respondent to dispose the disciplinary proceeding within the time lime that may be stipulated by this Court.

3. Heard the learned Counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents and perused the materials available on record.

4. After hearing rival submissions, this Court hereby directs the 2nd respondent to dispose the disciplinary proceeding pending before him as



W.P.(MD).No.1913 of 2024

against the petitioner in Na.Ka.No.2689/O.Na.1/2020 dated 20.09.2021 within a period of eight (8) weeks from the date of receipt of a copy of this order in accordance with law.

5. Accordingly, this Writ Petition stands disposed of. No costs.

Consequently, connected miscellaneous petition is closed.

31.01.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
Sml

To

1.The State of Tamil Nadu,
Represented by its Secretary
to Government,
Finance Department,
Secretariat,
Chennai-600 009.

2.The Director General of Audit,
O/o., Local Fund Audit,
Chennai-600 035.



WEB COPY



W.P.(MD).No.1913 of 2024

L.VICTORIA GOWRI, J.

Sml

W.P.(MD).No.1913 of 2024

31.01.2024