



W.P.(MD)No.11005 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 03.06.2024

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

W.P.(MD)No.11005 of 2024

K.Kaliappan

... Petitioner

Vs.

The Assistant Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Madurai District-625 002.

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to complete the disciplinary proceedings initiated vide the charge memo in Ma.Ni. 15/14162/2020, dated 17.12.2020 and to treat the period as the duty period and provide the monetary and service benefits till the date of passing of final orders in the disciplinary proceedings within the time stipulated by this Court.

For Petitioner : Mr.S.Louis

For Respondent : Mr.K.K.Kannan,
Standing Counsel

ORDER

Heard Mr.S.Louis, learned counsel appearing for the petitioner and Mr.K.K.Kannan, learned Standing Counsel appearing for the respondent.



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2. This Writ Petition has been filed seeking direction to the respondent to complete the disciplinary proceedings initiated vide charge memo in Ma.Ni, 15/14162/2020, dated 17.12.2020 and to treat the period as duty and to provide the monetary benefits and service benefits till the date of passing of final orders in the disciplinary proceedings within the time stipulated by this Court.

3. Mr.S.Louis, learned counsel appearing for the petitioner would submit that the proceedings are pending for a long time and hence, the connected service benefits could not be enjoyed by the petitioner. He further submitted that the disciplinary proceedings are required to be completed in a time frame manner without making their employees to lose their service progress and all other connected benefits.

4. Mr.K.K.Kannan, learned Standing Counsel appearing for the respondent submitted that with regard to the second show cause notice furnished to the petitioner, he has not given any reply and hence, no final orders were passed.

5. It is learnt that the petitioner was not given with the copy of the enquiry report in order to enable him to file an effective representation. Hence,



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it would be appropriate to direct the respondent to furnish the copy of the enquiry report to the petitioner in order to enable him to make his representation to the second show cause notice and the respondent to pass final order.

6. In view of the above, this Writ Petition stands **disposed of** with a direction to the respondent to issue the copy of enquiry report to the petitioner within a period of two weeks from the date of receipt of a copy of this order and on the receipt of the same, the petitioner is directed to submit his reply to the second show cause notice within a period of two weeks thereafter and the respondent is directed to pass final orders on merits and in accordance with law within a period of three weeks thereafter. No costs.

03.06.2024

Index:yes/no

Internet:yes/no

Ncc : yes/no

TSG

To

The Assistant Commissioner,
Madurai Corporation,
Aringar Anna Maligai,
Madurai District-625 002.



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R.N.MANJULA, J.

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