



W.P.(MD).No.14837 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.07.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.14837 of 2024

and

W.M.P.(MD).Nos.12999 and 13000 of 2024

P.Ravichandran

...Petitioner

Vs

1.The Inspector General of Registration,
Office of the Inspector General of Registration,
100, Santhome High Road,
Raja Annamalaipuram,
Chennai – 28.

2.The Deputy Inspector General of Registration,
Chennai,
Chennai District.

3.The Deputy Inspector General of Registration,
Madurai,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned order No.4580/A1/2024 dated 25.06.2024 passed by the third respondent and quash the same as illegal.



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For Petitioner : Mr.N.Kamesh

For Respondents : Mr.R.Ragavendran
Government Advocate

ORDER

Heard Mr.N.Kamesh, learned counsel for the petitioner and Mr.R.Ragavendran, learned Government Advocate for the respondents.

2. The petitioner who was placed under suspension at the verge of his retirement has filed this Writ Petition challenging the same as illegal.

3. Mr.N.Kamesh, learned counsel for the petitioner submitted that the petitioner has attained the age of superannuation on 30.06.2024 but he was placed under suspension, a few days before on 25.06.2024 on the allegation that the enquiry into grave charges against the petitioner are pending and that the petitioner caused huge loss to the revenue of the Government by violating the registration procedures. The fact that the petitioner has been given with the earlier charges and the same was also pending, is not denied. Since the petitioner was nearing the age of retirement, it would have been appreciated if the respondents are



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concluded all those disciplinary proceedings atleast three months before the petitioner's retirement.

4. In the reference of the impugned order of suspension dated 25.06.2024, it is seen that several charge memos are said to be issued to the petitioner. But, the petitioner has stated that despite there are many references in the impugned order, no charge memo has been furnished to him as shown in the references 8 to 11. But the fact remains that the remaining charge memos have already been given to the petitioner and on which enquiry is also pending by appointing an enquiry officer.

5. Though the Government guidelines would discourage the suspension at the verge of retirement, in rare case when grave charges are pending, the employee has to be kept under suspension without allowing him to retire before the conclusion of disciplinary proceedings. In the instant case, the charges against the petitioner appears to be grave in nature and the enquiry has also been initiated even before the petitioner attained the age of superannuation.



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6. Since the petitioner attained the age of superannuation and the disciplinary actions are still pending, the respondents should be directed to conclude the pending enquiry proceedings.

7. In view of the above stated reasons, this Writ Petition is **disposed of** with a direction to the respondents to conclude the pending enquiry proceedings and pass orders within a period of three months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

04.07.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



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R.N.MANJULA, J.

Nsr

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