



W.P(MD)No.18424 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.12.2024

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.18424 of 2022

Ravichandran

... Petitioner

Vs

1.The District Collector,
Trichy.

2.S.Shanmugam,
Ex Secretary,
District Panchayat,
Trichy.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, to direct the 1st respondent to appoint a fresh enquiry officer and direct him to conduct denovo enquiry in pursuance of the charge memo dated 14.10.2020 in Na.Ka.Th8/14166/2019 issued by the respondent.

For Petitioner
For Respondents

: Mr.P.Ganapathi Subramanian
: Mr.P.T.Thiraviam
Government Advocate



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ORDER

The petitioner was appointed as a Panchayat Clerk in District Panchayat, Trichy and thereafter, he was promoted as an Accountant in the Office of Lalgudi Panchayat Union, Trichy, wherein, he has served from 17.08.2015 to 12.03.2019. Thereafter, he has served as an Assistant (Election) from 13.03.2019 to 17.07.2019. Alleging that this petitioner has transferred a sum of Rs. 43,20,021/- to the account of contractors, instead of crediting the amount to the account of Panchayat Union, in between 15.10.2018 to 25.03.2019, he was placed under suspension on 17.07.2019 by a proceedings of the first respondent in Rc.R3/6401/2019, dated 17.07.2019. He was also issued with a charge memo, in a proceedings of the first respondent in Na.Ka.Tha8/ 14166/ 2019, dated 14.01.2020. An enquiry Officer was also appointed to proceed with the charges. The then Secretary of the District Panchayat, Trichy has been appointed as an enquiry officer. The petitioner has



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filed this writ petition for a Mandamus, to change the enquiry Officer that he has not examined any of the contractors and proceed with the enquiry and to conduct a denova enquiry.

2.Today (12.12.2024), when this writ petition is taken up for hearing, the learned counsel appearing for the petitioner submits that he has returned the papers. However, no arrangement has been made by the petitioner to proceed with the case through another counsel.

3. This Court perused the grounds filed in the affidavit filed in support of this writ petition. The petitioner has not made out any sufficient reasons for changing the enquiry officer. It appears that in view of the pendency of this writ petition, the enquiry contemplated as against this petitioner has been stalled for the past two years. Charge memo, which was issued as against this petitioner in the year 2020 is still kept pending.



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4.In view of the above, this writ petition is disposed of with a direction to the respondents to conclude the disciplinary proceedings, which was initiated as against this petitioner as expeditiously as possible, preferably within a period of three months from the date of receipt of copy of this order. No costs.

12.12.2024

NCC:Yes/No

Index:Yes

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To

1.The District Collector,
Trichy.

2.The Secretary,
District Panchayat,
Trichy.



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B.PUGALENDHI, J.

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Order made in
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12.12.2024