



W.P.(MD)No.17512 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.17512 of 2024

Murugesan

... Petitioner

vs.

1.The Chief Engineer (Agrl. Engg),
Agricultural Engineering Department,
487, Anna Salai Nandanam, Chennai - 600 035.

2.The Executive Engineer,
Agricultural Engineering Office,
Irrigation Development Project,
Nos.3 & 4, Apollo Colony,
Pothigai Nagar Road,
Tirunelveli.

3.Assistant Executive Engineer,
Agricultural Engineering Office,
Irrigation Development Project - 2,
66/1, Gomathiyapuram, North New 1st Street,
Sankarankovil, Tenkasi Town.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to ensure the petitioner's peaceful retirement on the petitioner's superannuation day by considering the petitioner's representation dated 20.07.2024 within a stipulated time.



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For Petitioner : Mr.M.Pitchai Muthu
For Respondents : Mr.S.Shanmugavel
Additional Government Pleader

ORDER

The petitioner who is working as a Junior Engineer in the third respondent Office is attaining superannuation tomorrow *i.e.*, on 31.07.2024. However, he has been issued with memorandum dated 15.07.2024 calling upon explanation in view of the pending criminal cases in S.T.C.No.145 of 2023 and S.T.C.No.154 of 2023. The said cases have been filed by a private person on the allegation of dishonour of the cheque alleged to have been issued by the petitioner.

2. Mr.M.Pitchai Muthu, learned counsel appearing for the petitioner submitted that those cases have got nothing to do with the petitioner's services and hence, the petitioner should be allowed to retire. The petitioner has also given a representation dated 20.07.2024 in this regard, but, so far, the same has not been considered.



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3. Since the petitioner is retiring tomorrow *i.e.*, on 31.07.2024, the respondents shall take a decision and pass orders taking into consideration of the fact that the pending criminal cases have got nothing to do with the official performance of the petitioner.

4. In view of the same, the writ petition is **disposed of** and the respondents are directed to consider the representation of the petitioner dated 20.07.2024 and pass orders in the light of the above observations.
No costs.

30.07.2024

NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order

mbi

Note: Issue Order copy on 30.07.2024



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R.N.MANJULA, J.

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