



W.P.(MD) No.30862 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.12.2024

CORAM

THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P.(MD) No.30862 of 2024

S.Fernando Anthonyammal Sorters

... Petitioner

Vs.

- 1.The State of Tamil Nadu
Rep. by its Principal Secretary to Government,
Home (Tr.II) Department,
Secretariat, Chennai - 9.
- 2.The Joint Transport Commissioner (A),
Commissionerate of Transport & Road Safety,
Chennai - 32.
- 3.The Commissioner of Disciplinary Proceedings,
Annexure Building,
Collector's Office, Nagercoil,
Kanyakumari District.
- 4.The Regional Transport Officer,
The Regional Transport Office,
Thoothukudi,
Thoothukudi District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of a Writ of Mandamus directing the first respondent to pass final orders in pursuance of the charge memo issued in TDP Case No.1/2022 by the third respondent in his Proceedings dated 13.09.2022 by



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considering the further explanation dated 04.06.2024 within the period that may be stipulated by this Court.

For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates

For Respondents : Mr.A.Baskaran
Additional Government Pleader

ORDER

The instant Writ Petition has been filed by a Superintendent working in the fourth respondent office, seeking a mandamus as against the first respondent to pass final orders in the departmental proceedings.

2. The petitioner herein was issued with a charge memo on 13.09.2022 and after completion of enquiry, the report was submitted on 27.03.2023. The petitioner was thereafter issued with a notice calling for further explanation on 08.04.2023, for which, the petitioner has submitted his remarks on 04.06.2024. So far, the first respondent has not passed any final orders.

3.It is the grievance of the petitioner that though he has attained superannuation, he has not been permitted to retire and has been retained in service for more than 1 ½ years.



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WEB COPY 4. Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondents.

5. Considering the fact that the first respondent has yet to pass final orders in the departmental proceedings, the first respondent is directed to pass final orders in the departmental proceedings arising out of the charge memo dated 13.09.2022, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. In the result, this Writ Petition is disposed of. No costs.

19.12.2024

Index: Yes/ No
Neutral Citation: Yes / No
Speaking Order/Non-Speaking Order

JEN

To:

1.The Principal Secretary,
Home (Tr.II) Department,
State of Tamil Nadu
Secretariat, Chennai - 9.



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- 2.The Joint Transport Commissioner (A),
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R.VIJAYAKUMAR, J.

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