



W.P.No.564 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.01.2025

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.564 of 2025

K. Thirumurugan

...Petitioner

Vs

1. The Government of Tamilnadu,
Represented by Secretary to Govt.
Micro, Small & Medium Enterprise Department,
Secretariat, Chennai – 600 009.

2. The Industries Commissioner,
and Director of Industries & commerce,
SIDCO Building, Guindy, Chennai – 600 032.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondents to consider petitioner's representation dated 19.09.2024, 29.10.2024, 22.11.2024 and 20.12.2024 and to appoint an new inquiry officer and to complete the inquiry officer and to complete the inquiry in the Charge Memo No.21503/EG2/2021 dated 10.11.2023 and pass final order in the disciplinary proceedings in accordance with law within the time limit fixed by the Government vide Government Letter (MS)



W.P.No.564 of 2025

No.1115/Per/N/87 dated 22.12.1987 and G.O.Ms.No.81 HRM Department dated 04.08.2022 and pass orders.

For Petitioner : Mr. P. Kumaravel

For Respondent : Mr. Yogesh Kannadasan
Special Government Pleader

ORDER

By consent of learned counsel on either side, this writ petition is taken up for final disposal at the stage of admission itself.

2. This petition is filed seeking to issue a Writ of Mandamus directing the Respondents to consider petitioner's representation dated 19.09.2024, 29.10.2024, 22.11.2024 and 20.12.2024 and to appoint an new inquiry officer and to complete the inquiry officer and to complete the inquiry in the Charge Memo No.21503/EG2/2021 dated 10.11.2023 and pass final order in the disciplinary proceedings in accordance with law within the time limit fixed by the Government vide Government Letter (MS) No.1115/Per/N/87 dated 22.12.1987 and G.O.Ms.No.81 HRM Department dated 04.08.2022 and pass orders.



W.P.No.564 of 2025

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3. The facts of the case is that the petitioner is working as Deputy Director in the Respondent/ Industry. While so, the second respondent has issued charge memo to the petitioner on 10.11.2023. After issuance of the said charge memorandum an enquiry officer was appointed to enquire into the matter and the petitioner also submitted his explanation in this regard. The sum and substance of the case is that the enquiry officer was transferred, due to which there is no progress in the enquiry. Pending enquiry juniors to the petitioner were promoted. Hence the petitioner has given a representation to the respondents on various dates for appointment of enquiry officer and to complete the disciplinary proceedings. Finally the petitioner has given the representation on 20.12.2024. However, the same was not considered till date. Hence, this petition.

4. The learned counsel for the petitioner submitted that it would be suffice if this Court issues a direction to the respondents to consider petitioner's representation and pass orders.



W.P.No.564 of 2025

WEB COPY

5. The learned Special Government Pleader appearing for the respondents submitted that they will consider the case of the petitioner on merits and in accordance with law.

6. Considering the facts and circumstances of the case and the limited relief sought for by the petitioner, this Court, without expressing any opinion on the merits of the case, directs the respondents to consider the petitioner's representation and pass orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

7. With the above observations this writ petition stands disposed of. No order as to costs.

09.01.2025

Index:Yes/No
Speaking order/Non-speaking order
smn



W.P.No.564 of 2025

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To.

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Micro, Small & Medium Enterprise Department,
Secretariat, Chennai – 600 009.

2. The Industries Commissioner,
and Director of Industries & commerce,
SIDCO Building, Guindy, Chennai – 600 032.



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W.P.No.564 of 2025

V.BHAVANI SUBBAROYAN,J.

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W.P.No.564 of 2025

09.01.2025