



W.P.No.38223 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.01.2025

CORAM:

THE HONOURABLE MRS. JUSTICE V.BHAVANI SUBBAROYAN

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R. Shanthi

...Petitioner

Vs

1. The Director,
Department of Agriculture,
Chepauk, Chennai.

2. The Joint Director of Agriculture,
Lawely Road, Coimbatore – 641 003.

3. The Inquiry Officer,
Administrative Officer of Joint Director,
Lawely Road, Coimbatore – 641 003.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second to third respondent to conduct fair enquiry and dispose of the proceedings of Proc.No.A2/15321/2024 dated 20.11.2024 within a time frame fixed by this Court and consequently direct the respondents to release all retirement benefits to the petitioner in accordance with law and pass orders.



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For Petitioner : Mr.S. Ramajayan

For Respondents : Mr. Stalin Abhimanyu
Additional 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 second to third respondent to conduct fair enquiry and dispose of the proceedings of Proc.No.A2/15321/2024 dated 20.11.2024 within time frame fixed by this Court and consequently direct the respondents to release all retirement benefits to the petitioner in accordance with law and pass orders.

3. The facts of the case is that the petitioner is a retired employee of the respondent Corporation and she was issued with a charge memo on 20.11.2024 in Proc.No.A2/15321/2024 by the second respondent. The grievance of the petitioner is that no documents were furnished to the



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petitioner with regard to charge memo. However, the petitioner gave the explanations on 27.11.2024. The sum and substance of the case is that due to the pendency of the charge memo the terminal benefits were not settled to the petitioner. Hence to dispose of the same, the petitioner has come up with this petition.

4. The learned counsel for the petitioner submitted that the petitioner retired on 30.11.2024, whereas the charge memo was issued on 20.11.2024 based on the legal notice sent by the legal heirs of the petitioner to the respondent/department. He further submit that due to the property dispute prevailing in the petitioner's house a charge memo cannot be issued, which is a total violation of principles of natural justice. Hence, prays to allow this petition.

5. Per contra the learned Additional Government Pleader appearing for the respondents submitted that they will consider the case of the petitioner conclude the enquiry as early as possible .

6. Heard both sides and perused the materials available on record.



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7. 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 case of the petitioner after conducting an enquiry by affording reasonable opportunity of hearing to the petitioner and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

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

02.01.2025

Index: Yes/No

Speaking order/Non-speaking order
smn

To.

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V.BHAVANI SUBBAROYAN,J.

smn

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