

CENTRAL ADMINISTRATIVE TRIBUNAL
MADRAS BENCH

O.A. /310/01580/2015

Dated 19th day the Thursday of November Two Thousand Fifteen

P R E S E N T

HON'BLE MR. JUSTICE B. SESHASAYANA REDDY, Member (J)

&

HON'BLE DR. P. PRABAKARAN, Member(A)

D. Selvaraj,
S/o. V.D. Dhananjayan,
No. 30, Arvindhar Vilar,
B-Lane, V.V.P. Nagar,
Thattanchavady.

... Applicant

By Advocate : M/s. Giridhar & Sai

Vs.

1. Union of India Rep. by
The Chief Secretary to Government,
Government of Puducherry,
Chief Secretariat,
Puducherry;
2. The Under Secretary to Government (Estt.)
Government of Puducherry,
Chief Secretariat,
Puducherry;
3. The Executive Engineer,
Public Health Division,
Public Works Department,
Government of Puducherry,
Puducherry;
4. The Deputy Director,
Directorate of Accounts & Treasuries,
Government of Puducherry,
Puducherry.

... Respondents

By Advocate : Mr. R. Syed Mustafa

ORDER

(Pronounced by Hon'ble Mr. Justice B. Seshasayana Reddy, Member(J))

This O.A. is filed by D. Selvaraj Under Section 19 of the Administrative Tribunals' Act 1985 assailing the Charge Memo dated 27.4.2012 issued by the 2nd respondent and seeking direction to the respondents to apy the applicant all retiral benefits due to him including gratuity and commuted value of pension with interest thereof.

2. The applicant was initially appointed as Lower Division Clerk on 16.5.1977 in the Education Department. He was promoted as Upper Division Clerk on 07.07.1980. He reached the postion of Junior Accounts Officer on 2.3.2011. He was transferred to Public Works Department on 16.12.2011. He retired from service on 30.4.2014. A charge memo came to be issued to him on 27.4.2012 in respect of the irregularities allegedly committed while working as Superintendent in the Transport Department, Puducherry. He submitted explanation to the Charge Memo. Disciplinary Authority appointed inquiry officer. The inquiry officer returned the file on the ground of certain documents being not available to him. Now the matter is rested with the disciplinary authority.

3. Heard M/s. Giridhar & Sai, learned counsel appearing for the applicant .

4. Various contentions have been advanced by Learned Counsel questioning the validity of the charge memo.

5. Charge memo came to be issued on 27.4.2012. Applicant submitted reply to the Chargememo dated 11.5.2012. The inquiry officer submitted a report to the Disciplinary Authority. Now the matter is rested with the disciplinary authority. At this distance of time, we are of the view that the disciplinary proceedings cannot be interdicted. Learned counsel appearing for the applicant seeks permission to the applicant to place on record additional representation to the disciplinary authority.

6. Having considered the facts and circumstances of the case, we are inclined to grant permission as sought for by the counsel for the applicant to place on record additional representation to the disciplinary authority within a period of week from the day. Thereafter, the disciplinary authority has to take into consideration of the additional representation as well as the inquiry report and pass appropriate orders within a period of four weeks thereafter.

7. Subject to the above observation, this O.A. is disposed of at admission stage. However, there shall be no order as to costs.