

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 29TH OCTOBER 2010 / 7TH KARTHIKA 1932

WP(C) .No. 21659 of 2010 (F)

PETITIONER(S) :

C.CHENTHAMARA,
SEIOR GRADE DRIVER, 23 KERRALA N.C.C.BATTALION,
THRISSUR.

BY ADV. SRI.M.V.BOSE
SRI.VINOD MADHAVAN

RESPONDENT(S) :

1. THE SECRETARY TO GOVERNMENT,
HIGHER EDUCATION DEPARTMENT
GOVT.SECRETARIAT, THIRUVANANTHAPURAM, 695001.
2. SHRI.T.K.MURALI, BRIGADIER,
DEPUTY DIRECTOR GENERAL
N.C.C.DIRECTORATE, THIRUVANANTHAPURAM-PIN-695001

ADV. SRI.T.P.M.IBRAHIM KHAN, ASST.S.G OF INDIA FOR R2
GOVERNMENT PLEADER P.NANDAKUMAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 29/10/2010, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

W.P.(C).No. 21659/2010

APPENDIX

PETITIONER(S) ' EXHIBITS

- P1. COPY OF THE NOTICE DTC.21.2.91.
- P2. COPY OF THE LETTER DTD.2.5.09 BY R2.
- P3. COPY OF THE ORDER DTD.23.1.2010.
- P4. COPY OF THE PETITION DTD.21.6.2010
- P5. COPY OF THE ORDER DTD.25.6.2010 BY R2.

RESPONDENT(S) ' EXHIBITS:

- R2A. COPY OF THE MEMO, SHOW CAUSE NOTICE ETC.

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///True copy///

P.A. to Judge

S.SIRI JAGAN, J.

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W.P.(C).No.21659 of 2010

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Dated this the 29th day of October, 2010

J U D G M E N T

The petitioner is a Senior Grade Driver working in the 23rd Kerala Battalion of the NCC at Thrissur. The petitioner is now under the administrative control of the Higher Education Department of the Government of Kerala. He was suspended from service on 25.6.2010 as per Ext.P5. The complaint in this writ petition is that the suspension itself is without any reason and even then, disciplinary proceedings are being prolonged.

2. I have heard the learned Government Pleader also.

3. I am of opinion that having suspended the petitioner, the 1st respondent has a duty to complete the disciplinary proceedings initiated by suspending the petitioner, expeditiously. Accordingly, this writ petition is disposed of with a direction to the 1st respondent to see that the disciplinary proceedings initiated against the petitioner by suspending him shall be completed, as expeditiously as possible, at any rate, within four months from the date of receipt of a certified copy of this judgment. However, this will not stand in the way of the petitioner approaching the reviewing authority for review of the order of suspension.

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///True copy///

Sd/-
S.SIRI JAGAN, JUDGE

P.A. to Judge

