

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.06.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.16968 of 2015

M.P.No.1 of 2015

M. Murugesan

... Petitioner

Vs.

1.The Chairman and Managing Director
Tamil Nadu Mineral Ltd.,
No.31, Kamarajar Salai,
TWAD House,
Chepauk, Chennai - 600 005.

2.Mr.Kannadasan,
Manager (Protection and Law)
Enquiry Officer,
Chepauck, Chennai - 600 005.

3.The Manager,
Tamil Nadu Minerals Ltd.,
No.65/19A, Thammna Nagar
1st Cross, Krishnagiri - 635 001.

... Respondents

Prayer: Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorarified mandamus, to call for the records in impugned order passed by the 2nd respondent in Na.ka.No.25262/E1/2001 dated 07.05.2015 and quash the same as illegal and consequently direct the 2nd respondent to comply with request made by me (engaging advocate) in the representation dated 27.03.2015 and 09.04.2015.

For Petitioner : Mr.K.Gandhi Kumar

For Respondents : Mr.A.Shreejayanth
(Spl.Govt.Pleader)

ORDER

1. The petitioner is employed in Tamil Nadu Mineral Limited. He is facing departmental action. Now he has challenged the proceedings dated 07.05.2015, directing him to appear on 12.05.2015 for enquiry.

2. When this court put a question as to what happened on 12.05.2015, the learned counsel for the petitioner has submitted that the enquiry did not take place and the same was adjourned to today.

3. In view of the statement made by the learned counsel for the petitioner that the petitioner was not set ex parte in the enquiry on 12.05.2015 and the enquiry is still pending, a direction is issued to the respondent to dispose of the petitioner's representation dated 09.04.2015 seeking for an assistance of an Advocate, since the Enquiry Officer as well as the Presiding Officer are legally trained persons.

4. It is settled law that if either the Enquiry Officer or Presiding Officer is a legally trained person, the petitioner is entitled to have assistance of an Advocate. Hence, the respondent is directed to conduct the enquiry by providing legal assistance to the petitioner and pass order within a period of two weeks.

With this observation, the writ petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

prm

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Chairman and Managing Director
Tamil Nadu Mineral Ltd.,
No.31, Kamarajar Salai,
TWAD House,
Chepauck, Chennai - 600 005.

2.Mr.Kannadasan,
Manager (Protection and Law)
Enquiry Officer,
Chepauck, Chennai - 600 005.

3.The Manager,
Tamil Nadu Minerals Ltd.,
No.65/19A, Thammna Nagar
1st Cross, Krishnagiri - 635 001.

+1cc to Mr.K. Gandhikumar, Advocate, S.R.No.29376

+1cc to M/s.A. Shreejyanthi, Advocate, S.R.No.29430

NM(CO)

EU(03/07/2015)

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