

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:09.02.2015

CORAM:

THE HON'BLE MR.JUSTICE K.K.SASIDHARAN

W.P.No. 2699 of 2015
and MP.Nos. 1 and 2 of 2015

M.Muthamilselvam

.. Petitioner

-vs-

1. The Commissioner
Corporation of Chennai
Rippon Buildings,
Chennai -600 003

2. The Sanitary Officer
Corporation of Chennai
The Regional Deputy Commissioner (North)
105, Basin Bridge, Royapuram,
Chennai -600 079

3. The Deputy Commissioner (North)
Corporation of Chennai
The Regional Office (North)
105, Basin Bridge, Royapuram,
Chennai -600 079

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorari calling for records of the 3rd respondent relating to the passing of the impugned order issued in proceeding No.VA VA A NA KA No.A2/5458/2014 dated 27.9.2014 and quash the same.

For Petitioner : Mr. R.Ramanlal

For Respondent : Ms.Karthikaa Ashok

O R D E R

The order dated 27.9.2014 passed by the third respondent initiating Disciplinary Proceedings against the petitioner is challenged primarily on the ground that the said authority has no jurisdiction to initiate proceedings against the employees of Corporation.

2. When the Writ Petition was taken up for hearing on 05.02.2015, the learned Standing Counsel for the Corporation by producing the Circular and the related orders submitted that the

Commissioner has delegated disciplinary powers to the third respondent and as such, the said authority has jurisdiction to initiate proceedings against the employees.

3. The learned counsel for the petitioner submitted that the petitioner would be satisfied, in case, a liberty is given to him to take up all the issues before the Disciplinary Authority.

4. The petitioner is given liberty to submit a comprehensive reply to the charge memo issued by the third respondent. It is open to the petitioner to take all the defences available to him both on fact and on law before the concerned authority.

5. The writ petition is disposed of with the above direction. No costs. Connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

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1 cc to Ms.Karthikaa Ashok ,Advocate, SR.No.6795
1 cc to Mr.R.Ramanlal ,Advocate, SR.No.6596

W.P.No. 2699 of 2015

jsv(co)
pmk.11.2.2015