

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28/10/2015

C O R A M

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI
AND

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

W.P.No.33856 of 2015

and

M.P.Nos.1 and 2 of 2015

Karunambal

...Petitioner

Vs

1. The Secretary to Government
Adi-Dravida & Tribal Welfare (CB4) Dept/
Chairman
State Level Scrutiny Committee
Fort St. George
Chennai 9.

2. The Deputy General Manager
State Bank of India
Personnel & HR Dept
Zonal Office
Kurinji Complex
P.B.No.3897
Coimbatore.

3. M. Ravichandran
Dy Supdt of Police
SB SD Vigilance Cell
Salem Range
Salem.

...Respondents

Writ petition filed under Article 226 of the Constitution seeking for the issuance of a writ of certiorarified mandamus to call for the records of the third respondent in connection with the impugned proceedings issued by him in C.No.5/DSP/SC/St Vigilance Cell/Salem Region/2015 dated 11/7/2015 and the

consequential show cause notice issued by the first respondent in Letter No.22437/CV-4(2)/2003-12 dated 18/9/2015 and quash the same and further direct the respondents to conduct the vigilance cell enquiry by some other officer in the rank of Dy Supdt of Police in accordance with the G.O.Ms.No.106 Adi Dravidar and Tribal Welfare (CV I) Department dated 15/10/2012 and submit a report within a reasonable time.

For Petitioner : Mr.K.Venkatramani
Senior Counsel
for Mr.M.Muthappan

For Respondents : Mr.N.Sakthivel
Government Advocate R1

O R D E R
(Delivered by SATISH K. AGNIHOTRI, J.,)

Mr. N. Sakthivel, learned Government Advocate, accepts notice for the first respondent. Notice to respondents 2 and 3 is dispensed with at this stage, as no adverse order is passed against them. With the consent of the learned counsel for the petitioner and the learned Government Advocate appearing for the first respondent, the writ petition is taken up for final disposal, at the time of admission itself.

2 Impugning the proceedings dated 11.07.2015 of the third respondent and the consequential show cause notice dated 18.09.2015 issued by the first respondent, the petitioner has come up with this writ petition mainly on the ground that the vigilance enquiry was conducted ex parte, without affording an opportunity of hearing to her. Thus, the petitioner is deprived of an opportunity to put forth her case before the Vigilance Committee. The petitioner is called upon to submit her reply to the Vigilance enquiry, which is ex parte.

3 Even at this stage, it is open to the petitioner to place all the facts and materials before the Vigilance Committee, which according to her, she is entitled to place before the Vigilance committee and the committee will examine all the issues and facts to be placed before taking final decision by a reasoned and studied order.

4. This writ petition is disposed of accordingly. No costs. Connected Miscellaneous Petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

ra.

To

1. The Secretary to Government
Adi-Dravida & Tribal Welfare (CB4) Dept/
Chairman
State Level Scrutiny Committee
Fort St. George
Chennai 9.
2. The Deputy General Manager
State Bank of India
Personnel & HR Dept
Zonal Office
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Coimbatore.

1 CC to Mr.M.Muthappan, Advocate SR.No. 58847

1 CC to the Government Pleader, SR.No. 58777

W.P. No.33856 of 2015

VGI (CO)
PSI (18.11.2015)

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