

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.11.2015

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.34119 of 2015
and MP.Nos.1 & 2 of 2015

A.J.Martin Fleix Celvia

... Petitioner

Vs.

1.Neyveli Lignite Corporation Ltd.,
Rep by its Chief General Manager,
Mine I and Mine -IA
Neyveli -3.

2.The Manager (HR) Mine-I/
Disciplinary Authority
Neyveli Lignite Corporation Ltd.,
Neyveli-3.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of certiorarified Mandamus to call for the records pertaining to the order dated 08.10.2015 issued by the second respondent in P.S.C.No.MI/Hr/DAC/278-125/2014, quash the same and consequently, direct the respondents to regularise the period of suspension as duty with pay and with all consequential benefits including arrears, after adjudicating the amounts already paid to the petitioner by way of subsistence allowance.

For Petitioner : M/s.M.Muthu Pandian

For Respondents : Mr.N.Nithyanandam for NLC.

O R D E R

The petitioner aggrieved over the second show cause notice issued by the second respondent filed the present writ petition.

2.This Court on 26.10.2015 directed the respondents to keep in abeyance the impugned order till 18.11.2015 to enable the petitioner to compound the offence and it was made clear in the earlier order that if the petitioner does not compound the offence on or before 18.11.2015, the impugned order as well the final order will come into force and no further extension of time will be granted under any circumstances.

3.The learned counsel for the petitioner as well as the learned counsel for the respondents submitted that the petitioner has not compounded the offence as per the earlier order of this Court. Therefore the final order passed on 26.10.2015 was implemented and against the final order the petitioner has to prefer an appeal before the Additional Chief Manager/HR(Mines-I).

4.In view of the above facts, the writ petition is dismissed as infructuous. The petitioner is permitted to prefer an appeal against the final order dated 26.10.2015, within 15days from the date on which the order copy is made ready. No costs. Consequently, connected miscellaneous petitions are closed.

tsh

s/d-
Assistant Registrar(CS-IV)

True Copy

Sub-Assistant Registrar

To

- 1.Neyveli Lignite Corporation Ltd.,
Rep by its Chief General Manger,
Mine I and Mine -IA
Neyveli -3.
- 2.The Manager (HR) Mine-I/Disciplinary Authority
Neyveli Lignite Corporation Ltd.,
Neyveli-3.

+ 1 cc to Mr.N.Mnithianandam, Advocate SR 63882

+ 1 cc to Mr.V.Ajoy Khose, Advocate SR 63438

skv(co)
prk16/12

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