



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2015

CORAM:

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.11170 of 2015

and

M.P.(MD)Nos.1 to 3 of 2015

Navaneethakrishnan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation,
Tirunelveli District.

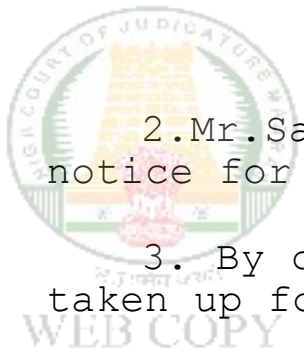
2.The General Manager-Disciplinary,
Tamil Nadu State Transport Corporation,
Tirunelveli District. ... Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari to call for the records in the impugned charge sheet dated 01.04.2012, under Proceeding No.D8557-sa20-OnaP-TNSTC-Thili-12, dated 01.04.2012 and its consequential show cause notice in proceedings under No.D8557-sa20-OnaP-TNSTC-Thili-12, dated 25.04.2015 both on the file of the second respondent herein and to quash the same as illegal.

For Petitioner : Mr.K.R.Laxman
For Respondents : Mr.Sathiya Singh
Standing Counsel

O R D E R

This writ petition is filed seeking a Writ of Certiorari to call for the records in the impugned charge sheet dated 01.04.2012, under Proceeding No.D8557-sa20-OnaP-TNSTC-Thili-12, dated 01.04.2012 and its consequential show cause notice in proceedings under No.D8557-sa20-OnaP-TNSTC-Thili-12, dated 25.04.2015 both on the file of the second respondent herein and to quash the same as illegal.



2.Mr.Sathiya Singh, learned Standing Counsel takes notice for the respondents.

3. By consent of both the parties, this writ petition is taken up for hearing at the stage of admission itself.

4. Heard both sides.

3.The learned Counsel for the petitioner would submit that the petitioner is working as a driver in the respondent Corporation and from the date of service, he has rendered service without any remarks. He would further submit that on 18.03.2013, while he was driving a bus from Tirunelveli to kayathar, an accident was occurred due to rash and negligent driving of the rider of the moped, due to which the rider sustained serious injuries and later on succumbed to injuries. He would further submit that the respondent Corporation initiated disciplinary proceedings and also issued show cause notice, for which he sent a detailed explanation and thereafter also, the second show cause notice was issued. Challenging the same, the petitioner is before this Court by filing this Writ Petition seeking the aforesaid relief.

4.The learned Counsel appearing for the respondents would submit that the respondent has issued only a show cause notice seeking explanation for the allegations levelled against the petitioner and the petitioner can very well file his necessary objections.

5. In view of the above facts, it is very clear that the petitioner has challenged only the show cause notice issued by the respondents. Admittedly, two show cause notices were issued by the respondents. The petitioner gave a representation on 27.07.2012. Again, the second show cause notice was issued on 25.04.2015, for which the petitioner can very well file his necessary objections. Hence, the petitioner is permitted to file his objections within a period of six weeks from the date of receipt of a copy of this order. On such receipt of the objections, the Authority concerned shall consider the same and pass appropriate orders on merits and in accordance with law, after due opportunity to the petitioner. Pending passing of final orders on the objections filed by the petitioner, no coercive steps to be taken.



6. With the above directions, the Writ Petition is disposed of. Consequently, the connected Miscellaneous Petitions are closed. No costs.

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ASST REGISTRAR - T AND P

SUB ASST REGISTRAR

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To

1. The Managing Director,
Tamil Nadu State Transport Corporation,
Tirunelveli District.

2. The General Manager-Disciplinary,
Tamil Nadu State Transport Corporation,
Tirunelveli District.

1CC TO MR.K. SATHIYASINGH ADV SR: 35411

1CC TO MR. R.LAXMAN ADV SR: 36138

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