



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.05.2015

CORAM:

THE HON'BLE MR.JUSTICE T.S.SIVAGNANAM

WEB COPY

W.P.(MD)No.8167 of 2015 and
M.P.(MD).No.1 of 2015

K.N.Subbaiah

.. Petitioner

Vs.

1. Co-operative Sub Registrar Cum
Managing Director,
VRDCC Ws Ltd.,
Virudhunagar.

2. Enquiry Officer,
VRDCC Ws Ltd.,
Virudhunagar.

.. Respondents

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to serve the copies of the documents asked by the petitioner in his letter dated 09.04.2015 and pass such or other order as this Hon'ble Court may deem fit and proper in the circumstances of the case.

For Petitioner	: Mrs.Lakshmi Gopinathan for M/s. Polax Legal Solutions
For Respondent	: Mr.M.Murugan Additional Government Pleader

ORDER

The petitioner has filed this writ petition for issuance of writ of Mandamus directing the respondents to furnish copies of the documents sought for by the petitioner in the representation dated 09.04.2015 to enable the petitioner to submit his explanation to the charge memo and participate in the disciplinary proceedings.

2. From the notice dated 08.05.2015, it is seen that the petitioner was granted permission to peruse those documents. But the petitioner for reasons best known, has not availed the opportunity granted and has approached this Court by stating that he should be supplied copies of the documents.

3. The learned counsel for the petitioner after reiterating the factual matrix, has submitted that the petitioner wants documents only in respect of three dates and the petitioner has



studied only upto 7th standards and therefore, unless the copies are furnished, the petitioner will not be in a position to submit an effective explanation.

4. In my view, the petitioner cannot insist as a matter of right that the copies of the documents have to be furnished to the petitioner especially when they are vouchers and ledgers. The petitioner has to avail the opportunity of perusing the documents. In view of the difficulty expressed by the petitioner that he has studied only upto 7th standard, the petitioner is permitted to have the assistance of any other employee of the Society for perusing the documents. While perusing the documents, the petitioner is entitled to take notes of all the details which he seeks to obtain from those documents and after perusing the documents along with the defence assistance of the petitioner who shall be an employee of the respondent Society, the petitioner shall be submitted his explanation to the charge memo. The petitioner shall be permitted to peruse the documents along with any other employee of the Society within two weeks from the date of receipt of a copy of this order. The petitioner is directed to submit his explanation to the charge memo within three weeks there from.

5. The writ petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Vacation Officer/Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Co-operative Sub Registrar Cum
Managing Director,
VRDCC Ws Ltd., Virudhunagar.

2. The Enquiry Officer, VRDCC Ws Ltd.,
Virudhunagar.

+1cc to Spl.Government Pleader Sr.No. 25614

+1cc to M/s.plax Legal Solutions ,Advocate Sr.No. 25542

rj2/trp

AA/18.05.2015/2p -5c/

Order made in
W.P. (MD) No.8167 of 2015 and
M.P. (MD) .No.1 of 2015
14.05.2015