

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 20.01.2016

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P. No.1729 of 2016
and
W.M.P.No.1511 of 2016

M.Udayakumar

.. Petitioner

Vs.

Tamil Nadu State Transport (Salem)
Corporation Ltd.,
Dharmapuri Region,
Rep. by its General Manager,
Salem Main Road,
Bharathipuram,
Dharmapuri - 636 705.

.. Respondent

PRAYER : Writ Petition has been filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records pertaining to the order dated 07.01.2016 in Proceedings No.290/6225/D5/TNSTC/2015 issued by the respondent and quash the same, award costs.

For Petitioner : Mr.G.Mutharasu

For Respondent : Mr.P.Paramasivadoss

ORDER

By consent, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The petitioner has filed the present Writ Petition challenging the show cause notice issued by the respondent in Proceedings No.290/6225/D5/TNSTC/2015 dated 07.01.2016.

3. The case of the petitioner is that he joined the service in the respondent Corporation as a Driver on 15.03.1997 and was made permanent. While so, the respondent initiated disciplinary proceedings against the petitioner, by issuing a charge memo dated 25.04.2015. After enquiry, the respondent issued the impugned show cause notice dated 07.01.2016 along with the findings of the Enquiry Officer dated 06.01.2016 seeking explanation from the petitioner. The petitioner, without giving

reply to the impugned show cause notice, has filed the present Writ Petition.

4. Heard the submissions of Mr.G.Mutharasu, learned counsel appearing for the petitioner and Mr.P.Paramasivadoss, learned Standing Counsel, who accepts notice on behalf of the respondent.

5. In my considered opinion, the ground raised by the petitioner cannot be considered at this stage to quash the impugned show cause notice. However, it is open to the petitioner to give a reply to the impugned show cause notice dated 07.01.2016 and the respondent is directed to consider the reply of the petitioner and pass orders thereon, on merits and in accordance with law.

6. With the above observation, the Writ Petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

ogy/sri

-s/d-

Assistant Registrar (CS-VI)

True Copy

Sub-Assistant Registrar

To

Tamil Nadu State Transport (Salem)
Corporation Ltd.,
Dharmapuri Region,
Rep. by its General Manager,
Salem Main Road,
Bharathipuram,
Dharmapuri - 636 705.

+ 1 cc to Mr.G.Mutharasu, Advocate, SR 3115

sr(co)
prk2/3

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