

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.07.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P.No.25696 of 2016
and
W.M.P.No.22021 of 2016

P.R.Govindaraju
Now working as Assistant Engineer,
Tamil Nadu Road Sector Project-II,
Tiruppur,
Tiruppur District. .. Petitioner

-vs-

- 1.The Government of Tamil Nadu,
represented by its Additional
Chief Secretary to Government,
Highways and Minor Ports (HL-1)
Department,
Fort St.George, Chennai-600 009.
- 2.The Director General,
Highways Department,
Chennai-600 025.
- 3.The Divisional Engineer,
Tamil Nadu Road Sector Project-II,
Tiruppur,
Tiruppur District. .. Respondents

Petition filed under Article 226 of the Constitution of India, for issuance of a writ of Certiorari calling for the impugned letter No.21658/HL1/2001/55 dated 20.06.2016 issued by the first respondent which was served on 09.07.2016, and quash the same.

For Petitioner :: Mr.K.Raja
For Respondents:: Mr.A.Kumar,
Special Government Pleader

ORDER

The petitioner has filed this writ petition challenging the letter No.21658/HL1/2001/55 dated 20.06.2016 issued by the first respondent, on the ground that the Government has invoked Rule 17(c)(i)(1) of the Tamil Nadu Civil Services (Discipline & Appeal) Rules, on the basis of conviction imposed by the Criminal Court.

2.Mr.A.Kumar, learned Special Government Pleader, takes notice for the respondents.

3.Heard the learned counsel on either side and perused the materials available on record.

4.On a careful perusal of the said letter dated 20.06.2016, this Court finds that it is only a show-cause notice which has been received by the petitioner on 09.07.2016, wherein the petitioner was granted 15 days time from the date of receipt of the letter, to submit his explanation. When it was clarified to the learned counsel for the petitioner that it is only a show-cause notice, the learned counsel for the petitioner, after some arguments, prayed this Court that another 15 days time may be granted to the petitioner to submit his explanation containing the legal points which he proposes to raise.

5.In view of the above submission of the learned counsel for the petitioner, the petitioner is granted another 15 days time from the date of receipt of a copy of this order, to submit his explanation to the show-cause notice. On such reply being received, the authorities shall consider the legal points raised by him, in accordance with law and pass appropriate orders therein.

6.The writ petition is disposed of accordingly. Consequently, the connected miscellaneous petition is closed. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

KM

To

- 1.The Additional Chief Secretary to Government,
Government of Tamil Nadu,
Highways and Minor Ports (HL-1) Department,
Fort St.George, Chennai-600 009.
- 2.The Director General,
Highways Department, Chennai-600 025.
- 3.The Divisional Engineer,
Tamil Nadu Road Sector Project-II,
Tiruppur, Tiruppur District.

+1cc to Mr.K. Raja, Advocate, S.R.No.41788

+1cc to the Government Pleader, S.R.No.41948

PPA(CO)

EU(26/07/2016)

W.P.No.25696 of 2016 and

W.M.P.No.22021 of 20164