

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 04.07.2017
CORAM :
THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM
WRIT PETITION No. 9030 of 2017
and
W.M.P.No. 9946 of 2017

V.Subramanian ... Petitioner

Vs.

1. The Commissioner of Municipal Administration,
Chepauk, Chennai - 600 005.
2. The Commissioner,
Poonamallee Municipality,
Poonamallee. ... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari calling for the records relating to the impugned charge memo issued by the 1st respondent in Roc.No.8144/2009/VI-2 dated 9.2.2017 and quash the same.

For Petitioner : Mr.T.Ranganathan

For Respondents : Mr.K.Dhananjeyan (For R1)
Special Government Pleader
Mr.K.Thangapandi (For R2)

O R D E R

After hearing the arguments of the learned counsel appearing for the writ petitioner for a considerable length of time, this Court expressed an opinion that the charge memo, which is under challenge in this writ petition, cannot be considered, in view of the fact that the Competent Authority has issued the charge memo and the writ petitioner has to undergo the process of enquiry.

2. The charge memos can be challenged on the limited ground of jurisdiction or incompetency on the part of the Authority, who issued the charge memo and on the ground of malafides, but not otherwise.

3. The scope of entertaining the writ petition against the charge memo is very much limited. More so, the impugned charge memo in the present writ petition is relating to alleged corrupt

activities of the writ petitioner and this Court is not inclined to show any indulgence towards corruption cases. However, the learned counsel appearing for the writ petitioner submitted that the Enquiry Officer was appointed and the enquiry proceedings were also completed and expressed his willingness to withdraw this writ petition. Accordingly, the writ petitioner is permitted to withdraw the writ petition.

4. With the above observation, the present writ petition is dismissed as withdrawn. However, there is no order as to costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

may

To

1. The Commissioner of Municipal Administration,
Chepauk, Chennai - 600 005.
2. The Commissioner,
Poonamallee Municipality,
Poonamallee.

+1 cc to Mr.K.Thangapandi Advocate sr 47052
+1 cc to the Government Pleader sr 46879

W.P.No.9030 of 2017

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