

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.12.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.31443 of 2017

A.Settu

.. Petitioner

-vs-

1. The District Manager
The Tamil Nadu State Marketing
Corporation Limited
Thirumazhisai, SIDCO Campus Unit 1
Thiruvallur East, Thiruvallur Region
Thiruvallur District
 2. The Senior Regional Manager
The Tamil Nadu State Marketing
Corporation Limited
LLA Building, Mount Road
Chennai 600 002
 3. The Managing Director
The Tamil Nadu State Marketing
Corporation Limited
4th Floor, CMDA Tower-2
Egmore, Chennai 600 008
- ... Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorari, calling for the records pertaining to third respondent in his proceeding dated Se.Mu.Na.Ka.No.R1/8867/2017 dated 26.07.2017 and quash the same.

For Petitioner :: Mr.P.Sidharthan

ORDER

This writ petition has been filed challenging the correctness of the impugned order dated 26.7.2017, confirming the order dismissing the petitioner from service on the ground of misappropriation of a sum of Rs.6,79,680/- from Shop No.8808. When the petitioner was issued with a charge memo on 26.3.2014 containing the following charges,

"Charge No.1. Causing shortage of money to the tune of Rs.2,71,000/-

Charge No.2. Based on the assessment done by

K.Jayaraman, Supervisor (Additional in-charge) of accounts dated 13.2.2014 in No.S010556833 there is shortage of Rs.6,79,680/-.

Charge No.3. Not depositing the amount as mentioned in the second charge with the bank and used the same for personal use.”,

nowhere, the petitioner has given any explanation to charge no.3. Even the explanation dated 1.8.2014 given by the petitioner, which is enclosed in the typedset, does not come nearer to the charge no.3. Although the petitioner's explanation with regard to charge no.1 shows that without there being any misappropriation from his side, he had paid a sum of Rs.2,71,000/-, it is not known how he has not touched charge no.3. The act of the petitioner in not giving explanation to the said charge shows that he has no explanation whatsoever. Learned counsel for the petitioner further submitted that a copy of the enquiry report was not furnished to the petitioner. But no specific ground whatsoever has been taken. Therefore, the impugned order cannot be found fault with. Accordingly, the writ petition fails and it is dismissed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The District Manager
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Egmore
Chennai 600 008

+1cc to MR.P.Siddharthan, Advocate SR.No.85768

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sm:26.12.2017



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