

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.09.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.1656 to 1659 of 2015
and
M.P.Nos.2, 1, 2 and 1 of 2015

R.Selvaraj ... Petitioner in W.P.Nos.1656
& 1659 of 2015

V.R.Mathiyazhagan ...Petitioner in W.P.Nos.1657 & 1658
of 2015

- Vs -

1. The Board of Directors
Tamil Nadu Minerals Ltd.,
Chepauk,
Chennai 600 005.
2. Tamil Nadu Minerals Ltd.,
Rep.by its Managing Director
Chepauk,
Chennai 600 005.
3. Mr.Henry Robert, (Enquiry Officer)
Deputy Manager (Maintenance)
Tamil Nadu Minerals Ltd.,
Chepauk,
Chennai 600 005. ... Respondents in 1 to 3
4. The General Manager
Tamil Nadu Minerals Ltd.,
Chepauk, Chennai 600 005. ... Respondents R4 in
W.P.Nos.1656 & 1658 of 2015

Prayers in all the W.Ps. :

W.P.No.1656 of 2015 has been filed seeking a Writ of Certiorari calling for records relating to order dated 12.01.2015 in R.C.No.5398/E5/2014 passed by the fourth respondent and quash the same.

W.P.No.1657 of 2015 has been filed seeking a Writ of Certiorari calling for records relating to order dated 23.12.2014 in Proc.No.3992/E5/2014-3 passed by the second respondent and quash the same.

W.P.No.1658 of 2015 has been filed to issue a Writ of Certiorari, calling for records relating to order dated 12.01.2015 in Proc.No.5947/E5/2014 passed by the fourth respondent and quash the same.

W.P.No.1659 of 2015 has been filed to issue a Writ of Certiorari, calling for records relating to Recovery of Financial Loss dated 23.12.2014 in Proc.No.3992/E5/2014-2 passed by the fourth respondent and quash the same.

For Petitioners
in all W.Ps. : Mr.Pradeep Jayaraman

For Respondents
in all W.Ps. : Mrs.A.Sri Jayanthi
Special Government Pleader

C O M M O N O R D E R

Learned counsel appearing both for the petitioner as well as the respondents made a joint submission that on account of certain common set of allegations, charge memos were issued to the employees in different proceedings. However, the allegations against all those officers are one and the same and arosed out of a single incident.

2. In this regard the learned counsel appearing for the respondents also submits that the charges both in respect of the writ petitioner and in respect of other delinquents namely, Mr.V.R.Mathiyazhagan and Mr.Vengatesan are similar and there is no addition or deletion in respect of the charge memo. In this respect, the order of penalty imposed against the another delinquent S.Venkatachalapathy was challenged in W.P.No.3252 of 2010 and the writ petition was allowed on 24.09.2014. Challenging the order of the learned Single Judge, the Board preferred an appeal in W.A.(MD) No.149 of 2017. The Honourable Division Bench dismissed the Writ Appeal on 11.07.2017. In this view of the matter, the case of the writ petitioner being similar in nature and all the allegations are also one and the same, this Court is bound to follow the orders of the Honourable Division Bench in this regard. From the chart submitted by the learned counsel appearing for the respondents it is also clear that the charges against the Mr.V.R.Mathiyazhagan, as well as

Mr.R.Selvaraj are one and the same though, they are working in different posts.

3. In this view of the matter, the orders impugned in these writ petitions issued by the respondents therein are hereby quashed and the writ petitions are allowed. However no order as to costs. Consequently, connected Miscellaneous Petitions are also dismissed.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

dna

To

1. The Board of Directors
Tamil Nadu Minerals Ltd.,
Chepauk, Chennai 600 005.
2. The Managing Director,
Tamil Nadu Minerals Ltd.,
Chepauk, Chennai 600 005.
3. Mr.Henry Robert, (Enquiry Officer)
Deputy Manager (Maintenance)
Tamil Nadu Minerals Ltd.,
Chepauk, Chennai 600 005.
4. The General Manager
Tamil Nadu Minerals Ltd.,
Chepauk, Chennai 600 005.

+8cc to Mr.Pradeep Jayaraman, Advocate Sr. 64184

+1cc to M/S.A.Sri Jayanthi, S.G.P. Advocate sr. 63932

W.P.Nos.1656 to 1659 of 2015

VSN(CO)

VR(11/09/2017)



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