

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.06.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.15282 of 2017
and
W.M.P.No.16566 of 2017

A.Charles Patrick Kumar

... Petitioner

Versus

1. The Joint Director,
Ex-Servicemen Welfare Board,
22 Raja Muthaiyah Salai,
Chennai.

2. The Assistant Director,
Ex-Servicemen Welfare Board,
Ariyalur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari, calling for the records relating to the impugned order dated 09.07.2016 bearing No.Na.Ka.No.726/2016/A1 issued by the 2nd respondent and quash the same as illegal.

For petitioner : Mr.Chamundi Bose

For Respondents : Mr.V.Jayaprakash Narayanan,
Special Government Pleader

सत्यमेव जयते
O R D E R

The petitioner has come to this Court challenging the charge memo dated 09.07.2016 issued under Rule 17(b) of the Subordinate Services (Discipline and Appeal) Rules.

2. Heard the submissions of Mr.Chamudi Bose, learned counsel for the petitioner and Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for the respondents.

3. When the report of the Enquiry Officer has been filed on 10.01.2017, without knowing the mind of the disciplinary authority on the report of the Enquiry Officer, the petitioner

cannot come to this Court for the reason that there is every possibility of the disciplinary authority to take a reasonable stand on the basis of the explanation submitted by the petitioner. Therefore, this Court is not inclined to interfere with the impugned order.

4. Accordingly, this writ petition stands dismissed. However, as and when a final order is passed, it is for the petitioner to work out his remedy by challenging the same. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

vsm

To

1. The Joint Director,
Ex-Servicemen Welfare Board,
22 Raja Muthaiyah Salai,
Chennai.
2. The Assistant Director,
Ex-Servicemen Welfare Board,
Ariyalur District.

+lcc to Mr.Chamundi Bose, Advocate, S.R.No.44253
+lcc to the Government Pleader, S.R.No.44192

सत्यमेव जयते

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CS IV
CA(04/07/2017)

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