

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.11.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.28869 of 2017

Jayakumari

W/o Veerapathiran (late)

.. Petitioner

-vs-

1. The State rep.by
the Commissioner
Tamil Nadu Hindu Religious and
Charitable Endowments Department
Chennai
2. The Joint Commissioner
Tamil Nadu Hindu Religious and
Charitable Endowments Department
Vellore
3. The Thakkar/Assistant Commissioner
Tamil Nadu Hindu Religious and
Charitable Endowments Department
Kancheepuram
4. The Executive Officer
Arulmighu Nithiya Kalyana Perumal
Swami Thirukovil
Thiruvedanthai Village
Thiruporur Taluk
Kancheepuram

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records pertaining to the charge framed by the third respondent Thakkar/Assistant Commissioner dated on 25.07.2017 and termination letter issued by the fourth respondent dated on 25.07.2017 and quash the same and direct the fourth respondent to reinstate the petitioner into the job.

For Petitioner:: Mr.S.Sugendran

For Respondents:: Mr.M.Maharaja
Special Government Pleader (HR&CE)

ORDER

This writ petition is directed against the impugned charge memo dated 25.7.2017 charging the petitioner on various allegations and for submission of her explanation within seven days. On the very same day, one another proceeding also has been issued to the petitioner to show cause as to why disciplinary action should not be taken against her for insubordination. The learned counsel for the petitioner submitted that after the issuance of the charge memo and the proceeding to show cause, she has been kept out of office. That amounts to termination.

2. But this Court is unable to appreciate the said contention. The reason is that a reading of the two page proceeding dated 25.7.2017 issued along with the charge memo does not show that the petitioner has been placed under suspension or directed not to attend office.

3. The learned Special Government Pleader for the respondents also submitted that it is not a fit case to entertain the writ petition.

4. Since the petitioner has not been terminated or suspended from service, this Court is unable to entertain the writ petition. Accordingly, the writ petition is dismissed. The petitioner is hereby directed to submit her explanation within a period of two weeks from the date of receipt of a copy of this order. Consequently, W.M.P.No.31080 of 2017 is also dismissed. No costs.

Sd/-
Deputy Registrar

/true copy/

Sub Asst. Registrar

ss

To

1. The Commissioner
Tamil Nadu Hindu Religious and
Charitable Endowments Department
Chennai

2. The Joint Commissioner
Tamil Nadu Hindu Religious and
Charitable Endowments Department
Vellore

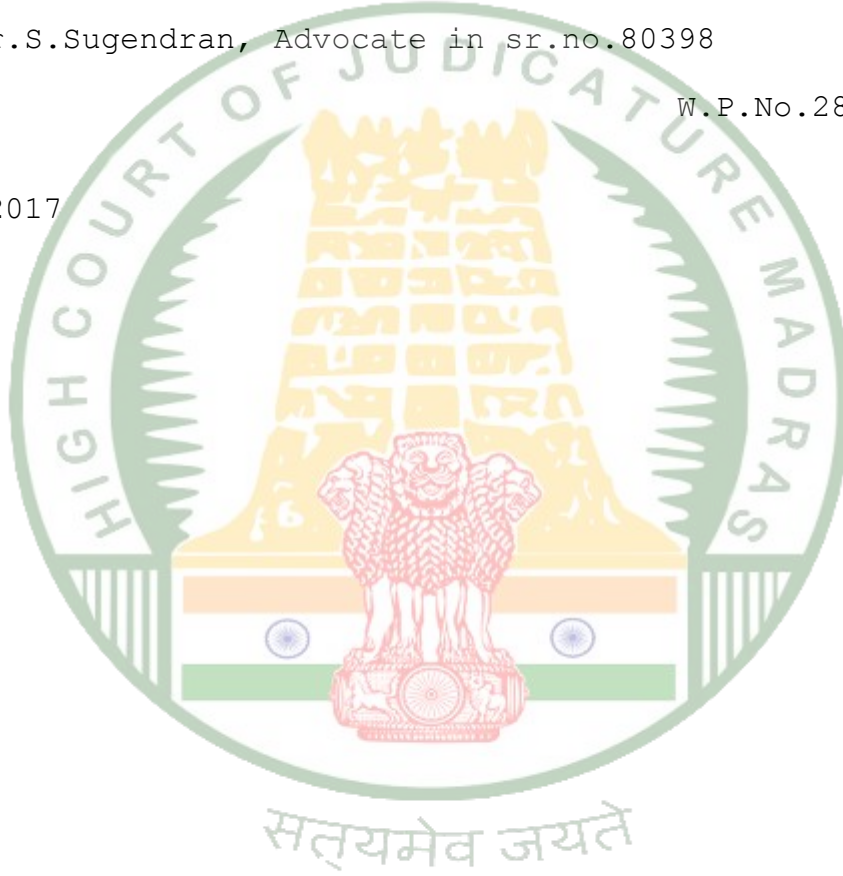
3. The Thakkar/Assistant Commissioner
Tamil Nadu Hindu Religious and
Charitable Endowments Department
Kancheepuram

4. The Executive Officer
Arulmighu Nithiya Kalyana Perumal
Swami Thirukovil
Thiruvédanthai Village
Thiruporur Taluk
Kancheepuram

+lcc to Mr.S.Sugendran, Advocate in sr.no.80398

W.P.No.28869 of 2017

SS(CO)
NR 15/11/2017



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