

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03-08-2017

CORAM:

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

W.P.No.19866 of 2017
and
WMP No.21445 of 2017

A.Shanmugam

.. Petitioner

vs.

1.The Joint Registrar of Cooperative Societies,
Namakkal Region,
Namakkal,
Namakkal District.

2.The Managing Director/Deputy Registrar,
Tiruchengode Cooperative Urban Bank
Limited No.8994,
Tiruchengode,
Namakkal District.

3.The Domestic Enquiry Officer,
Tiruchengode Cooperative Urban Bank
Limited No.8994,
Tiruchengode,
Namakkal District.

.. Respondents

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This Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the respondents to furnish relevant documents to the petitioner for enabling him to participate the disciplinary proceedings including the domestic enquiry conducted by the third third respondent.

For Petitioner : Mr.C.Prakasam
For Respondents : Mr.L.P.Shanmugasundaram,
Special Government Pleader (Co-op.)

O R D E R

The relief sought for in this writ petition is for a direction to the respondents to furnish relevant documents to the petitioner for enabling him to participate in the disciplinary proceedings, including the domestic enquiry conducted by the third respondent.

2. The writ petitioner is now working as Manager in Tiruchengode Co-operative Urban Bank Limited. On account of certain allegations, disciplinary proceedings were initiated against the writ petitioner and he was placed under suspension. In order dated 22.8.2016, a charge memo was issued and the enquiry proceedings are also commenced. The writ petitioner moved this writ petition with a prayer to direct the respondents to furnish relevant documents.

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3. The Court raised a question to the learned counsel appearing for the writ petitioner that what are all the relevant documents directed to be furnished to the writ petitioner, as there is no averment in the affidavit stating that what are all the relevant documents as stated in the prayer. Further, even in the typed set of papers filed along with this

writ petition, there is no document to show that what are all the documents sought for by the writ petitioner for the purpose of defending his case in the domestic enquiry. In the absence of any of these particulars, such a vague prayer is sought for in this writ petition. The intention of the writ petitioner is made clear that he wants to protract and prolong the disciplinary proceedings one way or the other. Such an attitude on the part of the writ petitioner is to be deprecated and such writ petitions are certainly abuse of process of Court and this Court took an exception in this regard.

4. Filing a writ petition under Article 226 of the Constitution of India without even producing particulars regarding the relevant documents sought for in the prayer for a direction to furnish all the relevant documents to him, cannot be accepted.

5. Thus, no consideration is to be extended on the grounds raised in this writ petition. Accordingly, this Court record this fact that the way in which the writ petition is filed without even complying with the basic requirements to establish the right of the writ petitioner to claim such a prayer, is unacceptable. Thus, the writ petition is devoid of merits, however, a token cost of Rs.1,000/- (Rupees One Thousand only) is imposed on the writ petitioner and the same is to be paid to the Tamil Nadu State Legal Services Authority, within a period of four weeks from

the date of receipt of a copy of this order.

S.M.SUBRAMANIAM, J.

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6. Accordingly, the writ petition stands dismissed with costs of Rs.1,000/-. Consequently, connected miscellaneous petition is also dismissed.

7. Post the writ petition for reporting compliance after four weeks.

03-08-2017

Speaking Order/Non-Speaking Order.

Index : Yes/No.

Internet : Yes/No.

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To

The Joint Registrar of Cooperative Societies,
Namakkal Region,
Namakkal,
Namakkal District.

WP No.19866 of 2017