



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.07.2017

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.A(MD)No.554 of 2014
and
M.P. (MD) .No.1of 2014

G.Murugan

.. Appellant

Vs.

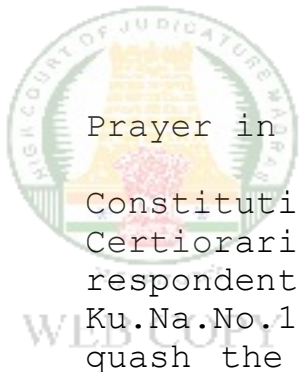
- 1.The Chief Engineer (Administration)
Tamilnadu Electricity Generation and
Distribution Corporation Ltd,
Chennai.
- 2.The Superintending Engineer,
Tamilnadu Electricity Generation and
Distribution Corporation Ltd,
Trichy Electricity Distribution Circle / Metro
Trichy.
- 3.The Assistant Executive Engineer,
Tamilnadu Electricity Generation and
Distribution Corporation Ltd,
Musiri.
- 4.The Assistant Engineer,
Tamilnadu Electricity Generation and
Distribution Corporation Ltd,
Gunaseelam.

.. Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letter Patent Act, against the common order dated 28.02.2014 in closing M.P.No.1 of 2014 in W.P.No.3620 of 2014, on the file of this Court.

Prayer in MP(MD). 1/ 2014 in WP(MD).3620/2014 :

To stay the memo of the 2nd Respondent in Ku.Na.No.1570/Ni.Pi.2/U1/Ko.Pa,Ne.Thu.Pa/ 2013-3 dated 28.1.2014 pending disposal of the main writ petition.



Prayer in WP(MD). 3620/ 2014 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorarified Mandamus after calling for the records from the 2nd respondent with regard to Ku.Na.No.1570/Ni.Pi.2/U1/Ko.Pa,Ne.Thu.Pa/ 2013-3 dated 28.1.2014, quash the same and consequently direct the respondents 1 & 2 to allow the petitioner to continue in his services with all benefits.

For Appellant : Mr.R.Murugan

For Respondents : No appearance

JUDGMENT

[Judgment of the Court was delivered by **K.K.SASIDHARAN, J.**]

The appellant challenged the show cause notice dated 28.01.2014 issued by the second respondent in W.P.(MD).No.3620 of 2014.

2.The Miscellaneous Application filed by the appellant herein for stay of the impugned order was rejected by the learned Judge, on the ground that it was a charge memo.

3.The learned counsel for the appellant contended that the impugned order is not a charge memo and it was only a show cause notice.

4. The learned Judge proceeded as if the impugned order was only a charge memo. Even if it is a show cause notice, there is no question of staying the operation of the show cause notice, during currency of the Writ Petition. It is always open to the petitioner to raise all his contentions in the pending W.P.(MD).No.3620 of 2014.

5. We, therefore, do not find any reason to take a different view in the matter. We direct the Registry to post the Writ Petition before the learned Judge, as per roster for final disposal, during the first week of August 2017.

6. The intra-Court Appeal is disposed of, with the above direction. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS-II)



To:

1. The Chief Engineer (Administration)
Tamilnadu Electricity Generation and
Distribution Corporation Ltd,
Chennai.
2. The Superintendent Engineer,
Tamilnadu Electricity Generation and
Distribution Corporation Ltd,
Trichy Electricity Distribution Circle / Metro
Trichy.
3. The Assistant Executive Engineer,
Tamilnadu Electricity Generation and
Distribution Corporation Ltd,
Musiri.
4. The Assistant Engineer,
Tamilnadu Electricity Generation and
Distribution Corporation Ltd,
Gunaseelam.

Copy to :

The Section Officer,
Writ Section,
Madurai Bench of Madras High Court,
Madurai.

NB/dsk

AE/MR KKR/SAR3/17.07.2017/3P/6C

**JUDGMENT MADE IN
W.A (MD) No.554 of 2014
and
M.P. (MD) .No.1of 2014**

07.07.2017