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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.05.2017

CORAM

THE HONOURABLE MR.JUSTICE M.V.MURALIDARAN

AND

THE HONOURABLE MR.JUSTICE N.SESHASAYEE

WA (MD) No.534 of 2017

and

CMP (MD) No.4528 of 2017

A.M.Seenuvasan

.. Petitioner

vs.

The Chief Executive Officer,
Tamilnadu Khadi Board,
Kuralagam,
Chennai - 600 108.

.. Respondent

Writ Appeal filed under Clause XV of Letters Patent, praying to set aside against the order dated 18.04.2017 made in W.P.(MD)No.5250 of 2017.

Prayer in WP(MD). 5250/ 2017 :

Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned charge memo of the respondent in Na.Ka.No. 1617/2016/E3(2) dated 06.03.2017 and quash the same and consequently direct the respondent herein to promote the petitioner as Assistant Director of Khadi & Village Industries Board, on par with his juniors.

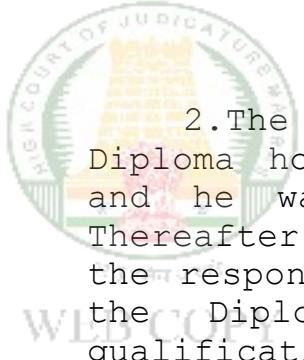
For Petitioner : Mr.Veerakathiravan, Senior counsel
for M/s Veera Associates

For Respondent : Mr.M.Alaguthevan
Special Government Pleader

JUDGMENT

(Judgment of the Court was made by M.V.MURALIDARAN,J.)

The intra Court appeal has been filed, challenging the order of dismissal of the writ petition in WP(MD)No.5250 of 2017 filed by the writ petitioner dated 18.04.2017.



2.The case of the petitioner is that this petitioner is the Diploma holder completing his Diploma in Mechanical Engineering and he was registered his name in the employment exchange. Thereafter his name was sponsored by the employment exchange by the respondent / Khadi Board for the post of Mechanic, in which the Diploma in Mechanical Engineering is the prescribed qualification.

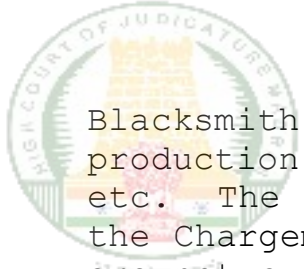
3.Pursuant to the selection of the petitioner by the Staff Selection Committee, which was held on 15.09.1995 at Trichy, this petitioner was appointed as Mechanic (Rural Textile Centre) in the scale of pay of Rs.1600-50-2300-60-2660 with usual allowances and this petitioner was posted in the office of the Regional Deputy Director, Khadi and Village Industries, Trichy.

4.This petitioner was appointed as per the Regulation 12(1) of the Tamil Nadu Khadi and Village Industries Board, Service Regulations 1966, and his appointment was only made through the employment exchange as per the Selection Committee of the Board and the said appointment order was issued in Rc.No.42060/E.II(2)/95, dated 18.09.1995 and from that date onwards he is working in the office of the Regional Deputy Director, Khadi and Village Industries, Trichy.

5.After completing the probation for two years, this petitioner service was regularized. After some considerable service, totally 3 posts of Mechanic arose in the respondent Board and the next promotional post for the said Mechanic is the Assistant Director of Khadi and Village Industries Board. Therefore, this petitioner is eligible for promotion of post of Assistant Director of Khadi and Village Industries Board. But, out of 3 posts of Mechanic, this petitioner's immediate senior and junior were promoted and they are working in the higher posts in the respondent Board, whereas this petitioner was not promoted. Even though, it is the duties and responsibilities to carry out the repairs of looms and Chakka (Raatai), which is used for manufacturing yarn the handlooms in the village industries of the respondent Board and originally this petitioner was posted as Mechanic (Rural Textile Centre).

6.While being so, this petitioner has received a charge memo in the year 2012 alleging that he has not reached the target as fixed by the department and since he is the only breadwinner of his family, he could not make any appeal as he feared victimisation by the respondent Board.

7.Thereafter, as per the orders of the respondent Board, this petitioner was transferred and he joined the Madurai Unit of the respondent Board on 06.06.2013 and was posted as Mechanic in the office of the Assistant Director of Khadi and Village Industries Board, Madurai. The respondent Board is having a Carpentry and



Blacksmith unit at Nagamalai Pudukottai, morefully having production unit of chairs, tables, almirah both wood and steel, etc. The technical person incharge of production and marketing is the Chargeman and in the said unit sub-staff and skilled labourers are not available to have production. Since the Board did not get regular orders for production, there was shortfall in reaching the target and production. The writ petitioner also come forward by saying that he was posted as Mechanic and his responsibility is to repair the looms and chakka (Raattai), machineries and instruments which are used for weaving looms. But, the petitioner did not have any experience in the manufacture of works involving carpentry or blacksmith. The petitioner neither has skill nor has experience in the production or marketing of products. It is the duty of the chargeman, who is incharge of the unit and direct bearing with production and marketing.

8.The next promotion of Assistant Director of Khadi and Village Industries Board was to be considered as per the proceeding dated 15.03.2017, but to the petitioner's shock and surprise the respondent Board issued proceedings under Rule 34(b) of the Khadi and Village Industries Service and Discipline Rules, alleging that he has not reached the target as fixed for the year 2016-2017 to the extent of Rs.50,00,000/- as a result of which the departmental proceedings were initiated by the respondent.

9.Few days before the crucial date, disciplinary proceeding was initiated with malafide intention to deprive the petitioner of his right of being considered for promotion to the next promotional post of Assistant Director. The charge memo only issued with the allegations that target fixed for production was not reached. This cannot be attributed to the mechanic of the unit, against this petitioner, that he has not reached the target fixed by the department. It is the case of the petitioner that the target in production has not reached cannot be attributed to the mechanic of the unit were not responsibility either in the production or marketing of the respondent Board.

10.Apart from this, the petitioner also states that the unit had lost its mechanism due to non-availability of staff and there were already communications between the parties that the unit at Madurai is not an yielding unit and it has to be merged with other units. But no decision was taken as yet and therefore, this petitioner cannot be responsible for the shortfall in the production, since the reason for initiating departmental proceeding more fully as a misconduct is illegal.

11.It is also the further case of the petitioner that the Assistant Director of Khadi and Village Industries Board even in the year 2015 communicated to the respondent Board by proceedings dated 27.03.2015 in Na.Ka.No.927/14/V that the unit at Madurai is not viable and for the past 3 years target could not be achieved



for so many reasons. Apart from this, the Khadi and Village Industries are not receiving continuous orders. Further, the extent of co-operation of workers is not encouraging. Hence, the Assistant Director of Khadi and Village Industries Board has suggested to shift and transfer the unit to any other District.

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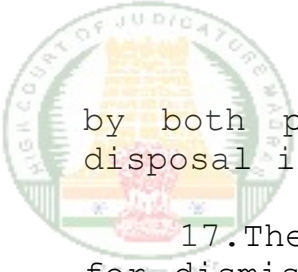
12. In view of the delay in taking decision to transfer the unit due to continuous absence of orders for production, it is alleged by the petitioner that he has sought to be victimized. Hence, the present charge memo is against the well established principles of law and without any valid reason and does not fall within the meaning of misconduct either moral or legal.

13. The petitioner also states that the present charge memo issued just few days before the crucial date is unjust and arbitrary. Earlier on similar charge also the writ petitioner previous right of consideration of promotion had been thwarted, since all his juniors have been promoted long back. Therefore, he has filed the above writ petition, challenging the impugned charge memo.

14. The learned Single Judge of this Court was pleased to consider the case of the petitioner at the admission stage itself by stating that this writ petition is not maintainable on the ground that the Hon'ble Supreme Court in several binding precedents, charge memo cannot generally be a subject matter of challenge in a writ petition as it does not adversely affect the right of delinquent. Therefore, the present case does not fall within the exceptions carved out in any of the judgments for maintaining the writ petition challenging the charge memo. The learned Judge also considered that it is not the case of the petitioner that the charge memo has been issued by incompetent authority and yet another ground of charge memo was issued in delayed manner. Therefore, the learned Judge says that the statement of allegation does not constitute the charge and charges framed are not demonstrated to be wholly illegal.

15. Apart from this, the learned Judge also states that when prima facie material to maintain the charge and the charge is attracted upon reading the allegations made in the statement of imputations and the petitioner also not alleged any malafide against any officer and none has been impleaded as respondent, there was no scope for entertaining the writ petition. Accordingly, the learned Judge was pleased to dismiss the writ petition on 18.04.2017. Challenging the said order of the writ petition, the appellant has filed the present writ appeal before this Court.

<https://hcservices.ecourts.gov.in/hcservices> 16. We heard Mr. Veerakathiravan, learned senior counsel appearing for the appellant and Mr. Alaguthevan, learned Special Government Pleader appearing for the respondent Board. On consent



by both parties, the main Writ Appeal is taken up for final disposal in the admission stage itself.

17.The learned Single Judge has considered several grounds for dismissal of the writ petition mainly the petitioner has not make out any malafide allegations against any officer and not impleaded any officer as respondent, and the learned Judge also states that the charge memo was not issued by incompetent authority and there was no delay of issuing the charge memo.

18.Admittedly, in this case, this petitioner was appointed in the regular vacancy through the employment exchange on 18.09.1995 as per the Regulation 12(1) of the Tamil Nadu Khadi and Village Industries Board, Service Regulations 1966 and the selection was made through the Staff Selection Committee of the Board on 18.09.1995. The petitioner was appointed as Mechanic, his duty was fixed that he should repairs the looms and Chakka (Raatai), machineries and instruments which was used for weaving looms. Apart from this, this petitioner has no experience in the manufacture of carpentry or blacksmith. Since the petitioner neither having skill or experience in the production of marketing of products, because it is the duty of the chargeman who is incharge of the unit and direct bearing with production and marketing.

19.Thus being the case, the respondent has issued the present impugned charge memo in Na.Ka.No.1617/2016/E3(2) dated 06.03.2017 against the writ petitioner and the charges are follows:

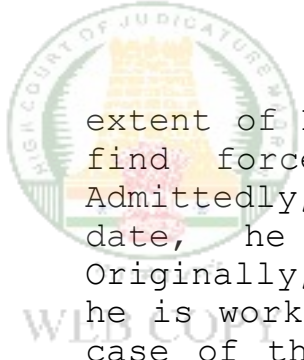
"குற்றச் சாட்டு எண்.1

மதுரை, கதர் கிராமத்தொழில்கள், உதவி இயக்குனரது கட்டுப்பாட்டில் செயல்பட்டு வரும் நாகமலை புதுக்கோட்டை தச்சு கொல்லு அலகிற்கு 2016-2017 ஆண்டு ரூ.50.00 இலட்சம் என உற்பத்தி குறியீடு நிர்ணயம் செய்யப்பட்டதில் டிசம்பர்-2016 முடிய ரூ.0.40 இலட்சம் மட்டுமே உற்பத்தி செய்து வாரியம் நிர்ணயித்த குறியீட்டில் 0.008 சதவீதம் மட்டுமே எய்தப்பட்டுள்ளது. வாரியத்தினால் நிர்ணயம் செய்யப்பட்ட உற்பத்தி குறியீட்டினை 9 மாதங்கள் கடந்த நிலையில் எய்திட அவ்வலகில் பணியாற்றி வரும் திரு.அ.மு.சீனிவாசன் மெக்கானிக் எவ்வித முயற்சியும் மேற்கொள்ளாமல் இருந்துள்ளார்.

குற்றச் சாட்டு எண்.2

தனது கடமை மற்றும் பொறுப்பிலிருந்து தவறி செயல்பட்டுள்ளார்.

20.In the charge memo, it is alleged that this petitioner has not reached the target as fixed for the year 2016-2017 to the

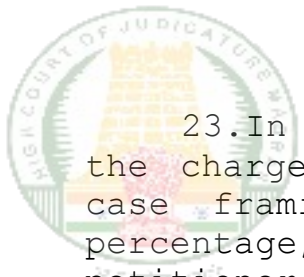


extent of Rs.50,00,000/-, which amounts to misconduct. This Court find force the charge memo issued against this petitioner. Admittedly, this petitioner was appointed as Mechanic and as on date, he continues as Mechanic in the respondent Board. Originally, he was employed at Trichy Unit and from 2013 onwards he is working as Mechanic in the Madurai unit. But, it is not the case of the respondent Board that the technical person in charge of production and marketing is the in charge of the unit and apart from this, in the said unit sub-staff and skilled labourers are not available to have production. But, the charge memo itself has stated that the petitioner, who is working as Mechanic has not reached the target at Rs.50,00,000/-.

21. Apart from this, as per the charge, the respondent Board has stated that for reaching the target at Rs.50,00,000/-, all the employees were directed to take appropriate steps at the unit at Madurai, whereas the respondent Board states that being in charge of the Madurai unit, this petitioner has not taken any steps for reaching the target. But, in this regard, Mr. Veerakathiravan, learned senior counsel has produced a judgment passed by the Hon'ble Supreme Court in a case of **State of U.P. and others v. Ramesh Chandra Mangalik** reported in (2002) 3 SCC 443, wherein the Hon'ble Supreme Court stated that an act of omission or lack of efficiency or failure to attain higher standard of administrative ability may not itself amount or constitute misconduct.

22. Apart from this, Mr. Veerakathiravan, learned senior counsel also produced an order passed by the learned Single Judge of this Court, in a case of **P. Shaheen and others v. State of Tamil Nadu** reported in 2014 (5) CTC 444, in para-7 of the judgment it is held as follows:

"7. A perusal of the charge memo clearly illustrates that the basis for framing the charges is the pass percentage. The question is whether the petitioners who were the lecturers in different subjects could be solely responsible for the poor pass percentage?. This Court is of the firm view that the petitioners alone cannot be solely responsible for the poor pass percentage as at the end of the day, it is only the students who write the examinations. Therefore, the basis of the charges are misdirected and in fact the charges are very vague. Further, as rightly contended by the counsel for the petitioners, the objections furnished by the petitioners have been ignored and a new explanation has been quoted in the charge memo as if the same was given by the petitioners to the 6th respondent. There is nothing on record to show that such statements were made by the petitioners. Therefore, this Court is also of the view that the charges have been framed in haste and without application of mind."



23. In the case reported in **2014 (5) CTC 444**, it is held that the charge memo issued against the writ petitioner in the said case framing the charges that he is the allowing the pass percentage, since in that case, it was considered that the petitioner alone cannot be solely responsible for the poor pass percentage as at the end of the day, it is only the students, who write the examinations. Therefore, on the basis of the charges are misdirected and in fact the charges are very vague and hence, the learned Single Judge has quashed the charge memo.

24. The order of the Hon'ble Supreme Court reported in the case of **(2002) 3 SCC 443**, it is very clearly held that an act or omission or lack of efficiency or failure to attain higher standard of administrative ability may not by itself amount to or constitute misconduct.

25. On the other hand, the learned Single Judge cited several judgments in the case of

(1) **State of Uttar Pradesh v. Shri Brahm Datt Sharma and another** reported in **AIR 1987 SC 943** it has been held as follows:

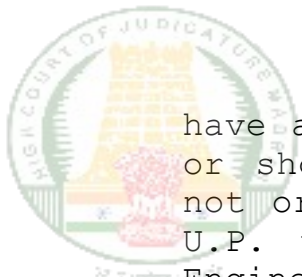
"9. The High Court was not justified in quashing the show cause notice. When a show cause notice is issued to a Government servant under a statutory provision calling upon him to show cause, ordinarily the Government servant must place his case before the authority concerned by showing cause and the courts should be reluctant to interfere with the notice at that stage unless the notice is shown to have been issued palpably without any authority of law. The purpose of issuing show cause notice is to afford opportunity of hearing to the Government servant and once cause is shown it is open to the Government to consider the matter in the light of the facts and submissions placed by the Government servant and only thereafter a final decision in the matter could be taken. Interference by the Court before that stage would be premature. The High Court in our opinion ought not have interfered with the show cause notice."

(2) **Union of India v. Kunisetty Satyanarayana** reported in **AIR 2007 SC 906**, the Hon'ble Supreme Court has held as follows:

"13. It is well settled by a series of decisions of this Court that ordinarily no writ lies against a charge sheet or show-cause notice vide *Executive Engineer, Bihar State Housing Board vs. Ramdesh Kumar Singh and others* JT 1995 (8) SC 331, *Special Director and another vs. Mohd. Ghulam Ghouse and another* AIR 2004 SC 1467, *Ulagappa and others vs. Divisional Commissioner, Mysore and others* 2001(10) SCC 639, *State of U.P. vs. Brahm Datt Sharma and another* AIR 1987 SC 943 etc.



"10. Ordinarily a writ application does not lie against a chargesheet or show cause notice for the reason that it does not give rise to any cause of action. It does not amount to an adverse order which affects the right of any party unless the same has been issued by a person having no jurisdiction/competence to do so. A writ lies when some right of a party is infringed. In fact, ~~chargesheet/ does not infringe the right of a party. It is~~ only when a final order imposing the punishment or otherwise adversely affecting a party is passed, it may



have a grievance and cause of action. Thus, a chargesheet or show cause notice in disciplinary proceedings should not ordinarily be quashed by the Court. (Vide : State of U.P. v. Brahm Datt Sharma, AIR 1987 SC 943; Executive Engineer, Bihar State Housing Board v. Ramesh Kumar Singh & Ors., (1996) 1 SCC 327; Ulagappa & Ors. v. Div. Commr., Mysore & Ors., AIR 2000 SC 3603 (2); Special Director & Anr. v. Mohd. Ghulam Ghouse & Anr., AIR 2004 SC 1467; and Union of India & Anr. v. Kunisetty Satyanarayana, AIR 2007 SC 906).

11. In State of Orissa & Anr. v. Sangram Keshari Misra & Anr., (2010) 13 SCC 311, this Court held that normally a chargesheet is not quashed prior to the conclusion of the enquiry on the ground that the facts stated in the charge are erroneous for the reason that correctness or truth of the charge is the function of the disciplinary authority. (See also: Union of India & Ors. v. Upendra Singh, (1994) 3 SCC 357).

12. Thus, the law on the issue can be summarised to the effect that chargesheet cannot generally be a subject matter of challenge as it does not adversely affect the rights of the delinquent unless it is established that the same has been issued by an authority not competent to initiate the disciplinary proceedings. Neither the disciplinary proceedings nor the chargesheet be quashed at an initial stage as it would be a premature stage to deal with the issues. Proceedings are not liable to be quashed on the grounds that proceedings had been initiated at a belated stage or could not be concluded in a reasonable period unless the delay creates prejudice to the delinquent employee. Gravity of alleged misconduct is a relevant factor to be taken into consideration while quashing the proceedings."

(4) **LIC v. A.Masilamani** reported in **(2013) 6 SCC 530** the Hon'ble Supreme Court has held as follows:

"18. The court/tribunal should not generally set aside the departmental enquiry, and quash the charges on the ground of delay in initiation of disciplinary proceedings, as such a power is de hors the limitation of judicial review. In the event that, the court/tribunal exercises such power, it exceeds its power of judicial review at the very threshold. Therefore, a charge-sheet or show cause notice, issued in the course of disciplinary proceedings, cannot ordinarily be quashed by court. The principle is applicable, in relation to there being a delay in conclusion of disciplinary proceedings. The facts and circumstances of the case in question, have to



"6. In the case of charges framed in a disciplinary inquiry the tribunal or court can interfere only if on the charges framed (read with imputation or particulars of the charges, if any) no misconduct or other irregularity alleged can be said to have been made out or the charges framed are contrary to any law. At this stage, the tribunal has no jurisdiction to go into the correctness or truth of the charges. The tribunal cannot take over the functions of the disciplinary authority. The truth or otherwise of the charges is a matter for the disciplinary authority to go into. Indeed, even after the conclusion of the disciplinary proceedings, if the matter comes to court or tribunal, they have no jurisdiction to look into the truth of the charges or into the correctness of the findings recorded by the disciplinary authority or the appellate authority as the case may be. The function of the court/tribunal is one of judicial review, the parameters of which are repeatedly laid down by this Court. It would be sufficient to quote the decision in H.B. Gandhi, Excise and Taxation Officer-cum-Assessing Authority, Kamal v. Gopi Nath & Sons⁵. The



Bench comprising M.N. Venkatachaliah, J. (as he then was) and A.M. Ahmadi, J., affirmed the principle thus : (SCC p. 317, para 8)

"Judicial review, it is trite, is not directed against the decision but is confined to the decision-making process. Judicial review cannot extend to the examination of the correctness or reasonableness of a decision as a matter of fact. The purpose of judicial review is to ensure that the individual receives fair treatment and not to ensure that the authority after according fair treatment reaches, on a matter which it is authorized by law to decide, a conclusion which is correct in the eyes of the Court. Judicial review is not an appeal from a decision but a review of the manner in which the decision is made. It will be erroneous to think that the Court sits in judgment not only on the correctness of the decision making process but also on the correctness of the decision itself."

(7) **Executive Engineer, B.S.H.B. v. Ramesh Kumar Singh** reported in (1996) 1 SCC 327 the Hon'ble Supreme Court has held as follows:-

"10. We are concerned in this case, with the entertainment of the Writ Petition against a show cause notice issued by a competent statutory authority. It should be borne in mind that there is not attack against the vires of the statutory provisions governing the matter. No question of infringement of any fundamental right guaranteed by the Constitution is alleged or proved. It cannot be said that Ext. P-4 notice is ex facie a "nullity" or totally "without jurisdiction" in the traditional sense of that expression -- that is to say even the commencement or initiation of the proceedings, on the face of it and without anything more, is totally unauthorised. In such a case, for entertaining a Writ Petition under Article 226 of the Constitution of India against a show-cause notice, at power or jurisdiction, to enter upon the enquiry in question. In all other cases, it is only appropriate that the party should avail of the alternate remedy and show cause against the same before the authority concerned and taken up the objection regarding jurisdiction also, then. In the event of an adverse decision, it will certainly be open to him, to assail the same either in appeal or revision, as the case may be, or in appropriate cases, by invoking the jurisdiction under Article 226 of the Constitution of India."



(8) **Secretary, Ministry of Defence v. Prabhash Chandra Mirdha** reported in **AIR 2012 12 SC 2250**, the Hon'ble Supreme Court after referring to several judgments of the Hon'ble Supreme Court earlier summarised the position as follows:

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"13. Thus, the law on the issue can be summarised to the effect that charge sheet cannot generally be a subject matter of challenge as it does not adversely affect the rights of the delinquent unless it is established that the same has been issued by an authority not competent to initiate the disciplinary proceedings. Neither the disciplinary proceedings nor the chargesheet be quashed at an initial stage as it would be a premature stage to deal with the issues. Proceedings are not liable to be quashed on the grounds that proceedings had been initiated at a belated stage or could not be concluded in a reasonable period unless the delay creates prejudice to the delinquent employee. Gravity of alleged misconduct is a relevant factor to be taken into consideration while quashing the proceedings.

(9) **Special Director v. Mohd. Ghulam Ghouse** reported in **AIR 2004 SC 1467** the Hon'ble Supreme Court has expressed serious concern for entertaining a Writ Petition against show cause notice and granting interim order. The relevant portion of the judgment reads as follows:

"5. This Court in a large number of cases has deprecated the practice of the High Courts entertaining writ petitions questioning legality of the show cause notices stalling enquiries as proposed and retarding investigative process to find actual facts with the participation and in the presence of the parties. Unless, the High Court is satisfied that the show cause notice was totally non est in the eye of law for absolute want of jurisdiction of the authority to even investigate into facts, writ petitions should not be entertained for the mere asking and as a matter of routine, and the writ petitioner should invariably be directed to respond to the show cause notice and take all stands highlighted in the writ petition. Whether the show cause notice was founded on any legal premises is a jurisdictional issue which can even be urged by the recipient of the notice and such issues also can be adjudicated by the authority issuing the very notice initially, before the aggrieved could approach the Court. Further, when the Court passes an order it should be careful to see that the statutory functionaries specially and specifically



constituted for the purpose are not denuded of powers and authority to initially decide the matter and ensure that ultimate relief which may or may not be finally granted in the writ petition is accorded to the writ petitioner even at the threshold by the interim protection, granted."

26. All the cases referred by the learned Judge is only on the ground whether the charge memo has been issued by the incompetent authority and any delay in issuing charge memo, but in the case on hand, it is the case of the petitioner that whether he has not reached the target as fixed for the year 2016-2017 to the extent of Rs.50,00,000/- amounts to misconduct or not? This was clearly upheld by the Hon'ble Supreme Court in the case of **State of U.P. and others v. Ramesh Chandra Mangalik** reported in **(2002) 3 SCC 443**, since when the petitioner was posted as Mechanic and his responsibility is to repair the looms and chakka (Rattai), machineries and instruments which are used for weaving looms, how the respondent has posted and fixed responsibility on the petitioner in not reaching the target fixed by the board.

27. Therefore, we are of the opinion that it is the only question raised by the writ petitioner that whether the charge of not reaching the target fixed by the respondent board for the year 2016-2017 to the extent of Rs.50,00,000/- amounts to misconduct or not? But, in our absolute view as per the judgment of the Hon'ble Supreme Court reported in **(2002) 3 SCC 443**, the charge is not amounts to misconduct and the learned Judge has not looked into the said ground raised by the petitioner. Since when the petitioner has not raised the other grounds of the charge memo issued by the incompetent authority and the charge memo issued with the delay, there is no question in considering the above two points. Therefore, this Court warranting interference in the orders passed by the learned Single Judge in WP(MD)No.5250 of 2017 dated 18.04.2017 and accordingly, the order of the writ petition is liable to be set aside.

28. In the result, this writ appeal is allowed by setting aside the order passed in WP(MD)No.5250 of 2017 dated 18.04.2017. There is no order as to costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (RTI)

/True Copy/



To

The Chief Executive Officer,
Tamilnadu Khadi Board,
Kuralagam,
Chennai - 600 108.

+1cc to M/s.Veera Associates Sr.No.56687
+1cc to Spl.Government Pleader Sr.No.56997

VSA

VB/SV/AA/SAR4/08/08/2017/14P/4C

**WA (MD) No.534 of 2017
and
CMP (MD) No.4528 of 2017**

17.05.2017