



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2017

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

WEB COPY

W.P.(MD)No.3304 of 2017
and WMP (MD) No.2648 of 2017

T.Suresh Jeyaraj

... Petitioner

Vs.

Joint Commissioner,
O/o. the Joint Commissioner (CT),
Tirunelveli Division,
Tirunelveli District.

... Respondent

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records relating to the impugned order passed by the respondent in his proceeding in A5/6597/2016 dated 07.12.2016 and quash the same as illegal.

For Petitioner :Mr.Ajmal Khan, Senior Counsel
for M/s.Ajmal Associates

For Respondent :Mr.R.Raja Karthikeyan
Additional Government Pleader

O R D E R

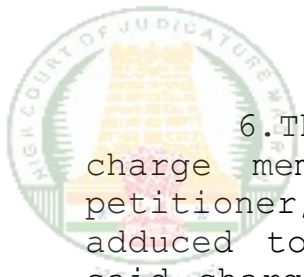
Mr.R.Raja Karthikeyan, the learned Additional Government Pleader takes notice for respondents.

2.The prayer in the writ petition is for a Writ of Certiorari, calling for the records relating to the impugned order passed by the respondent in his proceeding in A5/6597/2016 dated 07.12.2016 and quash the same.

3.By consent of both sides this writ petition itself is taken up for final disposal.

4.The petitioner has challenged the impugned charge memo dated 07.12.2016, whereby the respondent has framed 6 charges against the petitioner.

5.Heard the learned Senior Counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondent.



6. Though the petitioner has challenged the said impugned charge memo, whereby 6 charges have been framed against the petitioner, this Court finds that no plausible reason had been adduced to interfere with the said charge memo. As against the said charge memo, it is open to the petitioner to make his reply to each and every charge with detailed defence statement, based on which, it is for the respondent to take a decision as to whether the charges have to be dropped or further it is to be proceeded. Therefore, this Court is of the considered view that at the threshold no interference is required in the impugned charges.

7. In the result, since the petitioner has not made out any plausible reason to interfere with the impugned charges, the plea raised herein is rejected. It is for the petitioner to raise his suitable defence with supporting documents, if any, and on receipt of the same, it is for the respondent to take a decision on merits and in accordance with law as to whether the charges have to be dropped or the same has to be proceeded further by way oral enquiry, if it is asked for by the petitioner.

8. With the above observations, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/
Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

To

The Joint Commissioner,
O/o. the Joint Commissioner (CT),
Tirunelveli Division,
Tirunelveli District.

+1cc to M/s.AJMAL ASSOCIATES, Advocate, in SR No.10838
+1cc to Special Government Pleader SR.NO.10925

SJ
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