



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 09.02.2018

CORAM :

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P (MD) Nos.2638 of 2018

and

W.M.P. (MD) Nos.2826 and 2827 of 2018

S.Ramesh

... Petitioner

**Vs.**

1. The Chief Engineer Personnel,  
Tamil Nadu Generation and Distribution  
Corporation Ltd.,  
Tamil Nadu Electricity Board,  
No.144, Annasalai, NPKRR Maligai,  
Chennai - 600 002.

2. The Superintending Engineer,  
Tamil Nadu Generation and Distribution  
Corporation Ltd.,  
Tamil Nadu Electricity Board,  
Dindigul Electricity Distribution Circle.,  
Dindigul - 624 001.

... Respondents

**Prayer :** Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari Mandamus, to call for the records in ursuant to the impugned order passed by the 2<sup>nd</sup> respondent in his proceedings Memo No.00466/ADM.III/A.2/F. Court/2018 dated 10.01.2018 and quash the same.

For Petitioner : Mr.M.Saravanakumar  
For Respondents : Mr.Dhayalan

**ORDER**

The petitioner is employed in TANGEDCO. He has been convicted in a criminal case in C.C.No.41 of 2004 on 04.12.2017 on the file of Judicial Magistrate No.3, Dindigul. Following his conviction in a criminal case, the second respondent has issued the impugned show cause notice dated 10.01.2018. The same is under challenge in this writ petition.

2.The writ petition is liable to be dismissed for two reasons. Firstly, as against show cause notice, a writ petition would



ordinarily not be maintainable unless, it is touching upon the jurisdiction of the authority, who issued show cause notice. Here, it is not the case.

3. Secondly, following the conviction, employer is bound to dismiss the petitioner from service. If the employer is able to over turn the conviction, then, he can be reinstated in service. As on date the conviction is operating against the writ petitioner. Therefore, the show cause notice was rightly issued. There is no merit in this writ petition.

4. This writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar (Crl side)

/True Copy/

*Sub Assistant Registrar*

+ 1 cc TO Mr. M. Saravanakumar, Advocate in SR No. 48053

Arul

AE/RSK/SAR4/28.04.2018/2P/2C

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