



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 28.03.2018

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD)No.13146 of 2014

and

M.P(MD)Nos.1 to 3 of 2014

R.Chidambarathanu Pillai

... Petitioner

Vs.

The Principal Secretary to Government,
Highways and Minor Ports Department,
Secretariat, Chennai -9.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari to call for the records of the impugned charge memo issued by the respondent in Letter No.461/HL.1/2012-4 dated 10.05.2013 and quash the same.

For Petitioner : Mr.Balamuralikrishnan
for Mr.V.Karthikeyan

For Respondents : Mrs.S.Srimathy S.G.P.,

O R D E R

The writ petitioner is employed in the respondent department. He was issued with a charge memo dated 10.05.2013. The said charge memo is under challenge in the writ petition.

2.The learned counsel appearing for the writ petitioner submitted that as many as five persons including the petitioner were proceeded against in respect of the very same cause of action. One of the delinquents, Mr.C.Selvaraj filed W.P(MD)No.5997 of 2014 questioning the said charge memo and this Court, by order dated 17.02.2016, allowed the writ petition. The said order has become final. No writ appeal has been filed questioning the same. He also pointed out that against the remaining two employees, the department chose to drop the charges. Government Orders were issued and they were allowed to retire. Since the cause of action against the writ petitioner is also one and the same, he cannot receive the differential treatment.

3.Taking note of the aforesaid submission and following the order dated 17.02.2016 made in W.P(MD)No.5997 of 2014, the charge memo impugned in this writ petition is quashed.



4. Accordingly, this writ petition is allowed. No costs.
Consequently, connected miscellaneous petitions are closed.

Sd/

Assistant Registrar (Crl side)

/True copy/

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Sub Assistant Registrar

To

The Principal Secretary to Government,
Highways and Minor Ports Department,
Secretariat, Chennai -9.

+1cc to M/s. Special Government Pleader, SR.No. 59251

+1cc to Mr.V.PERUMAL, Advocate, SR.No. 58653

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SKN

KK/SV MMS/11.04.2018/SAR-4/2P-4C