



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 27.02.2018

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE **S.M.SUBRAMANIAM**

W.P. (MD) No.15422 of 2013

and

M.P. (MD) No.1 of 2013

V.Vembulu

... Petitioner

-Vs-

1. Tamil Nadu Generation and
Distribution Corporation Ltd.,
rep by its Chairman, No.114, Anna Salai,
Chennai-02.
2. The Chief Engineer (Personal),
Tamil Nadu Generation and
Distribution Corporation Ltd.,
No.114, Anna Salai, Chennai-02.
3. The Regional Chief Engineer,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Tirunelveli Region, Tirunelveli.
4. The Superintending Engineer,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Virudhunagar Distribution,
Virudhunagar.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the respondents No.2 to 4 to furnish the reports, DFC Inspection Report, BOAB Audit Report, Report of the Assistant Account officer Revenue Branch, Sivakasi Bank Remittance certificate, Cheque Register Demand Collection Balance Register, Cheque Register and Bank Reconciliation Statement Prior to the enquiry proceedings to the petitioner within the time stipulated by this Court.

For Petitioner

: Mr.T.Lajapathi Roy

<https://hcservices.ecourt.gov.in/hcservices/>

For Respondents

: Mr.G.Murugan

**ORDER**

The relief sought for in this Writ Petition is for a direction to direct the respondents 2 to 4 to furnish the reports, DFC Inspection Report, BOAB Audit Report, Report of the Assistant Account officer Revenue Branch, Sivakasi Bank Remittance certificate, Cheque Register Demand Collection Balance Register, Cheque Register and Bank Reconciliation Statement Prior to the enquiry proceedings to the petitioner.

2.This Court is of an opinion that it is needless to state that the documents cited in the charge memorandum as well as the documents relied on by the respondents have to be furnished to the writ petitioner also. If certain other protected documents are cited, then the writ petitioner may be allowed to peruse the contents during the process of enquiry proceedings.

3.However, it is necessary that the charged officials should be permitted to peruse all the relevant documents, which all are cited in the enquiry proceedings and the writ petitioner cannot be deprived of perusing such documents, which all are cited in the enquiry proceedings. It is the legal principle to be followed and this being the factum, this Court is of the opinion that the right of the delinquent officials cannot be denied and the respondents are bound to furnish those details to the writ petitioner.

4.In this view of the matter, the respondents are directed to allow the writ petitioner to peruse all the relevant documents which all are cited in the enquiry proceedings to defend the case of the writ petitioner in all respects.

5.With the above direction, this Writ Petition stands disposed of. However, there shall be no order as to costs. Consequently, M.P.(MD)No.1 of 2013 is closed.

Sd/-
Assistant Registrar(Crl side)

/True Copy/

Sub Assistant Registrar

To

1. The Chairman,
Tamil Nadu Generation and Distribution Corporation Ltd.,
No.114, Anna Salai,



2. The Chief Engineer (Personal),
Tamil Nadu Generation and
Distribution Corporation Ltd.,
No.114, Anna Salai, Chennai-02.

3. The Regional Chief Engineer,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Tirunelveli Region, Tirunelveli.

4. The Superintending Engineer,
Tamil Nadu Generation and
Distribution Corporation Ltd.,
Virudhunagar Distribution,
Virudhunagar.

+ 1 cc TO Mr.T.Lajapathi Roy , Advocate in SR No. 51699
+ 1 cc TO Mr.R.Saravanan , Advocate in SR No. 51420

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AE/GT/SAR2/13.03.2018/3P/7C

W.P (MD) No.15422 of 2013
27.02.2018