

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 19.03.2019

CORAM
THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.5748 of 2019
and
WMP.No.6564 of 2019

S.Chandrasekar

...Petitioner

Vs

The Director,
Human Resources,
Corporate Office,
NLC India Ltd,
Block-I, Neyveli-1.
Cuddalore District.

....Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a writ or order or orders or direction particularly in the nature of Writ of Mandamus, directing the respondent to provide the charge memo, domestic enquiry proceedings, removal order and other related documents to the petitioner herein.

For Petitioner : Mr.R.Prabhakaran

For Respondent : Mr.N.Nithianandan,
Standing Counsel for NLC

O R D E R

The relief sought for in the present writ petition is for a direction to direct the respondent to provide the charge memo, domestic enquiry proceedings, removal order and other related documents to the writ petitioner.

2. The writ petitioner was an employee of the respondent Corporation. On account of certain serious allegations against the writ petitioner, the departmental disciplinary proceedings were initiated. A charge memo was issued and an enquiry was conducted. Finally, the writ petitioner was removed from service during the year 2013.

3. The learned counsel appearing on behalf of the respondent states that the writ petitioner has not received any of these documents on the first instance and it was properly affixed and notified through the newspapers. Even then, the writ petitioner had not turn to receive the order of removal which

was also published in the newspaper. Now after a lapse of about 5 years from the date of removal from service, the present writ petition is filed seeking for a direction to provide a copy of the charge memo, domestic enquiry proceeding and removal order.

4. The very conduct of the writ petitioner cannot be appreciated in view of the fact that he was employed in the respondent Corporation and he must respond to the charge memo issued to him by participating in the enquiry proceedings. However, the documents can be collected by the writ petitioner either by filing an application under the Right To Information Act. Contrarily, he filed a writ petition.

5. The learned counsel for the respondent now made a submission that the respondent is ready to provide the xerox copies of the documents if the writ petitioner approaches the Competent Authorities in the Corporate office. Thus, the writ petitioner is at liberty to approach the Competent Authorities and collect all the required documents in order to redress his grievances.

6. In view of the submissions made, this Court is of an opinion that, no further adjudication needs to be entertained and accordingly, the writ petition stands dismissed. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

Pkn

To

The Director,
Human Resources,
Corporate Office,
NLC India Ltd,
Block-I, Neyveli-1.
Cuddalore District.

+1cc to Mr.R.Prabhakaran, Advocate, S.R.No.25699
+1cc to Mr.N.Nithianandam, Advocate, S.R.No.25648

W.P.No. 5748 of 2019

RS (CO)
RRS (02/05/2019)