

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.07.2019

CORAM:

THE HONOURABLE MR.JUSTICE K.K.SASIDHARAN
and
THE HONOURABLE Ms.JUSTICE P.T.ASHA

W.A.No.1845 of 2019
and CMP.No.12495 of 2019

V. Sundararajan

...Appellant

-Vs-

The District Collector,
Villupuram.

..Respondent

Prayer:- Writ Appeal filed under Clause 15 of Letters Patent against the order dated 06.02.2019 made in W.P.No.1486 of 2018.

Prayer in W.P.No.1486 of 2018:Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of the Writ of Certiorari, calling for the records relating to the respondent vide proceeding No. Roc.No.A1/ 10067/ 2017 dated 02.08.2017 and to quash the same.

For Appellant : Mr.S.Vijayakumar

For Respondent : Mrs.A.Sri Jayanthi
Special Government Pleader

J U D G M E N T

(Judgment of the Court was made by K.K.SASIDHARAN,J.)

The learned single Judge dismissed the Writ Petition filed by the appellant challenging the charge memo dated 02.08.2017. The said order is under challenge at the instance of the unsuccessful petitioner.

2. When this appeal came up for admission, the learned counsel for the appellant submitted that the appellant would be satisfied in case the documents referred to in the annexure to the charge memo are furnished to him so as to enable him to defend the enquiry.

3. We therefore directed the District Collector, Villupuram to furnish the documents relied on by him in the annexure to the charge memo to the appellant. The matter was adjourned on multiple occasions so as to enable the District Collector to furnish the documents.

4. The District Collector, Villupuram has filed an affidavit dated 03.07.2019 indicating that the documents which would be relied on by him during the course of enquiry are included in the typed set of papers produced before this Court. The documents are given in the typed set of papers from pages 1 to 539. The District Collector in paragraph 3 of the affidavit made it clear that only the documents included in the typed set alone would be relied on during the course of enquiry.

5. The learned counsel for the appellant contended that the appellant collected certain information with regard to the diary maintained by the RDO/Sub-Collector. According to the appellant no such inspection was ever conducted by RDO/Sub-Collector from 01.02.2017 to 28.02.2017 for verification of the beneficiaries under the OAP Scheme as referred to in the annexure to the charge memo dated 02.08.2018.

6. The respondent has made it clear that only the documents in the typed set produced before this Court would be used for the enquiry. In case, the appellant is of the view that there are other documents to substantiate his contention, it is always open to him to file appropriate application for summoning the records during the course of enquiry.

7. We make it clear that only the documents produced in the typed set of papers should be used for the enquiry as exhibits.

8. The categorical statement made by the District Collector that the enquiry would be confined to the documents produced before this Court in the form of typed set of papers is recorded.

9. The intra Court appeal is disposed of with the above observation. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS V)

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Sub Assistant Registrar

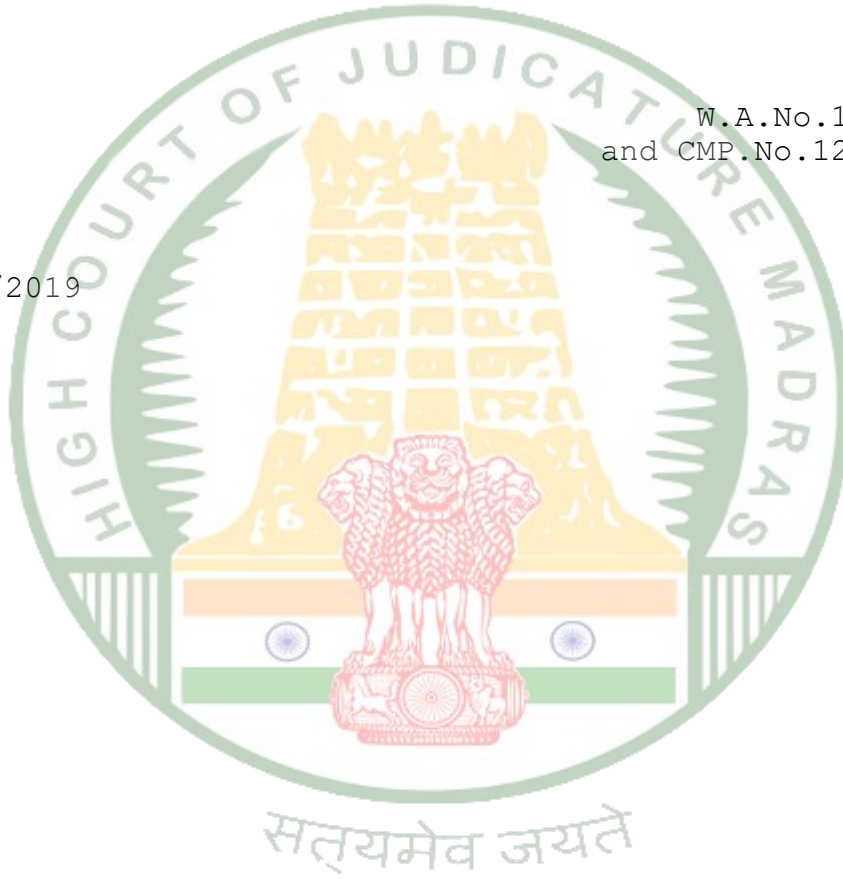
To

The District Collector,
Villupuram.

+lcc to Mr.S.Vijayakumar, Advocate Sr.60116
+lcc to the Government Pleader Sr.61239

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