

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.27364 of 2019
and
W.M.P.No.26808 of 2019

R.Kalaiarasi

... Petitioner

Vs.

1.Tamilnadu Khadi and Village Industries Board,
Rep.by its Chief Executive Officer,
Kuralagam, Chennai - 600 108.

2.The Assistant Director,
Khadi and Village Industries,
Salem District.

3.The Regional Deputy Director,
Khadi and Village Industries,
Tirupur District.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 2nd respondent to furnish the documents mentioned in the charge memo in page No.6 Annexure-3 in NA.KA.No.1134/2019/E, dated 26.8.2019 to the petitioner within a reasonable time and enable the petitioner to render any objection for the charge memo issued by the 2nd respondent on the basis of representation dated 06.09.2019 by the petitioner.

For Petitioner : Mr.C.B.Muralikrishnan

For Respondents: Mrs.R.Janaki

Additional Government Pleader

O R D E R

By consent, this writ petition is taken up for final disposal.

2.The petitioner joined as typist in the office of the Assistant Director, Kadhi and Village Industries at Namakkal vide appointment order dated 12.11.1993 issued by the 1st respondent. Thereafter, she was promoted as Assistant vide order of the 2nd respondent and joined office at Rasipuram and subsequently transferred to Sericulture Department as Assistant in contractual basis at Salem vide order of the 1st respondent dated 20.08.2009. Thereafter, she was appointed as liquidated officer at Coimbatore vide order dated 20.08.2018. Since, the petitioner being a lady and was suffering from severe back pain due to affected spinal cord, she could not join office at the said post, for which she gave application to the 2nd respondent on 13.02.2019 seeking for voluntary retirement from service and thereafter she took medical leave from 07.02.2019 to 04.03.2019, which was not accepted by the 2nd respondent and therefore, her medical leave application was submitted before the Medical Board. She was also informed that her VRS application was also kept before the Medical Board. Pending this application, the 1st respondent issued a memo dated 21.03.2019 stating that her application for VRS was not considered because the application is less than 90 days. The petitioner was present before the medical board and submitted her explanations. Even thereafter, she was issued with a charge memo by the 2nd respondent vide letter dated 27.08.2019 for certain allegations and directed her to submit her explanation. After receiving the charge memo, the petitioner sent a detailed reply to the 2nd respondent on 05.09.2019 and sought for certain documents as stated in the charge memo. However, the same was provided by the second respondent. Therefore, the petitioner has filed the present writ petition.

3.Heard both sides.

4.The learned counsel for the petitioner would submit that it would suffice if a direction is issued to the 2nd respondent to consider the petitioner's reply letter dated 06.09.2019 and provide the relevant documents as requested by the petitioner to enable her to reply the charge memo.

5.Thus, without going into the merits of the case, this Court is inclined to direct the 2nd respondent to consider the

petitioner's reply letter dated 06.09.2019 and to furnish the documents as requested by the petitioner within a period of two weeks from the date of receipt of copy of this order.

6. Accordingly, this writ petition stands disposed of. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Chief Executive Officer,
Tamilnadu Khadi and Village Industries Board,
Kuralagam, Chennai - 600 108.
2. The Assistant Director,
Khadi and Village Industries,
Salem District.
3. The Regional Deputy Director,
Khadi and Village Industries,
Tirupur District.

W.P.No.27364 of 2019
and
W.M.P.No.26808 of 2019

rsv(co)
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