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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 29.05.2019
CORAM

THE HON'BLE MR.JUSTICE G.R.SWAMINATHAN

W.P.(MD) No. 12416 of 2019 and
WMP(MD) .Nos.9267 and 9268 of 2019

A.V. Arulsingh

: Petitioner

-Vs-

1.The Chairman,
Arasu Rubber Corporation Limited,
Tamil Nadu Bio Diversity Green Project,
Project management Unit Office,
Velachery - Tambaram Main Road,
Nanmangalam, Medavakkam,
Chennai - 600 100.

2.The Managing Director,
Arasu Rubber Corporation Limited,
Registered Office,
Vadasery,
Nagercoil - 629 001,
Kanyakumari District.

: Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the impugned order in C.No.E2/16576/17, dated 20.02.2019 and the consequential impugned order in Na.Ka.No.Pa2/16576/17 dated 08.05.2019 on the file of the second respondent and quash the same as illegal and consequently for a direction, directing the second respondent to furnish the statement of witnesses mentioned in the charge memo within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mrs.S.Srimathy

Special Government Pleader

ORDER

The writ petitioner is employed as Field Officer in the respondent Corporation. Charge Memo, dated 26.07.2018 was served on him. Enquiry has also been constituted.

2. The petitioner states that he is yet to be furnished with the copies of the statement of the witnesses mentioned in the charge memo. The petitioner's stand is that unless he is given the said copies, he will not be in a position to cross examine them during the enquiry.



3. It is seen that in the enquiry as many as five witnesses have been mentioned. Obviously, statements should have been taken from them. Therefore, the respondents are obliged to make available copies of the same.

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4. Hence, in this view of the matter, the order impugned in the Writ Petition is quashed. The respondents are directed to furnish copies of the statement of witnesses mentioned in the charge memo, within a week from the date of receipt of a copy of this order. The petitioner is strictly directed to extend his fullest co-operation in the enquiry.

5. This Writ Petition is allowed accordingly. No costs. Consequently, connected Miscellaneous Petitions are closed.

Sd/-

Assistant Registrar (Crl.side)

/ True Copy /

Sub Assistant Registrar(CS-)

trp

To

1.The Chairman,
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Tamil Nadu Bio Diversity Green Project,
Project management Unit Office,
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Chennai - 600 100.

2.The Managing Director,
Arasu Rubber Corporation Limited,
Registered Office,
Vadasery,
Nagercoil - 629 001,
Kanyakumari District.

+1 CC to M/s.T.LAJAPATHI ROY, Advocate
(SR-66402[F] dated 30/05/2019)

+1 CC to M/s.SPL GP (SR-66545[F] dated 30/05/2019)

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