



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.06.2019

CORAM:

THE HONOURABLE Mr.JUSTICE D.KRISHNAKUMAR

W.P. (MD) No.13159 of 2019

and W.M.P. (MD) .No.9801 of 2019

K.Kalimuthan

.. Petitioner

Vs.

The General Manager,
The Tamilnadu State Transport Corporation (Kumbakonam) Ltd.,
Karaikudi Region,
Managiri (Po),
Maruthupathi, Karaikudi,
Sivagangai District.

.. Respondent

PRAYER: Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorari, calling for records pertaining to the impugned order of the respondent in Ref:TNSTC/TS/T2/15/18, dated 28.05.2019, quash the same as illegal.

For Petitioner : Mr.G.M.Xavier

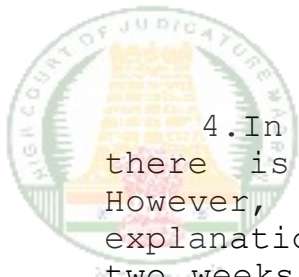
For Respondents : Mr.P.Balasubramanian,
Standing counsel

O R D E R

This writ petition has been filed for issuance of writ of Certiorari, calling for records pertaining to the impugned order of the respondent in Ref:TNSTC/TS/T2/15/18, dated 28.05.2019, quash the same as illegal.

2.Challenging the impugned show cause notice issued against the petitioner seeking explanation before the authority as to why the petitioner may be dismissed from the service for the allegations levelled against him, the petitioner has come forward with this writ petition. According to the petitioner, enquiry was not conducted properly in accordance with the procedure contemplated under the provisions of the rules and guidelines and therefore the said impugned show cause notice is liable to be quashed.

3.The learned standing counsel appearing for the respondent Corporation would submit that the petitioner cannot challenge the impugned show cause notice. The petitioner has to make explanation before the authority. If any explanation is made by the petitioner, the respondent will consider the same and pass orders on merits and in accordance with law.



4. In view of the aforesaid submission made by both parties, there is no ground is made out to entertain this petition. However, liberty is granted to the petitioner to submit his explanation to the impugned show cause notice within a period of two weeks from the date of receipt of a copy of this order and on receipt of such explanation from the petitioner, the respondent shall consider the same and pass orders on merits and in accordance with law.

5. With the above direction, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (Records)

// True Copy //

Sub Assistant Registrar (CS)

TM

+1CC TO MR.G.M.XAVIER, Advocate Sr. No.68110

+1CC TO MR.P.BALASUBRAMANIAN, Advocate Sr. No.68247

W.P (MD) No.13159 of 2019

12.06.2019

NRK (CO)

TR (26.06.2019) 2P 3C