



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED:21.03.2019
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P(MD)No.6743 of 2019
and
W.M.P.(MD)No.5387 of 2019

M.Muthuganapathy

... Petitioner

vs.

1.The District Manager,
TASMAC Ltd,
Theni, Theni District.

2.Sugumaran
Enquiry Officer,
Office of District Manager,
TASMAC Ltd,
Theni, Theni District.

3.Mrs.Chitra,
Inspection Squad,
TASMAC Ltd,
Theni, Theni District.

... Respondents

PRAYER:Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned enquiry report in No.Na.Ka.1054/2018/A1, dated 01.03.2019 and quash the same and consequently direct the respondents to conduct re-enquiry by giving opportunity to the petitioner.

For Petitioner :Mr.J.Anandkumar

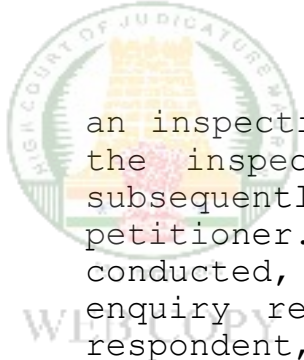
For Respondents : Mr.B.Jameel Arasu
for R.1

ORDER

The Writ Petition is filed seeking to quash the impugned enquiry report in No.Na.Ka.1054/2018/A1, dated 01.03.2019 and consequently direct the respondents to conduct re-enquiry by giving opportunity to the petitioner.

2. Heard the learned Counsel appearing for the petitioner and the learned Standing Counsel appearing for the first respondent and perused the materials available on record.

3. The case of the petitioner is that he is working as Supervisor in the respondent TASMAC shop at Theni. On 02.01.2019,



an inspection had been conducted by the third respondent. Based on the inspection, the petitioner was placed under suspension and subsequently, a charge memo has also been issued against the petitioner. According to the petitioner, an exparte enquiry was conducted, in which it was held that charges were proved. The said enquiry report was communicated to the petitioner by the first respondent, by the impugned proceedings dated 01.03.2019, against which, the present writ petition has been filed by the petitioner.

4. The learned Counsel for the petitioner submitted that it would suffice, if the petitioner is permitted to submit his objections to the impugned enquiry report, for which, the learned Counsel for the first respondent has no objection.

5. Considering the above said facts and circumstances of the case and having regard to the submissions made by the parties, this Court permits the petitioner to file his objections to the enquiry report within a period of two weeks from the date of receipt of a copy of this order. On such filing, the same shall be considered by the respondent authorities and appropriate orders be passed, on merits and in accordance with law, after affording an opportunity of hearing to the petitioner, within a period of six weeks thereafter.

6. Accordingly, the Writ Petition stands disposed of. No costs. Consequently, the connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (W)

// True Copy //

Sub Assistant Registrar(CS)

To

1.The District Manager,
TASMAC Ltd,Theni, Theni District.

2.Sugumaran
Enquiry Officer,
Office of District Manager,
TASMAC Ltd,Theni, Theni District.

3.Chitra
Inspection Squad,
TASMAC Ltd, Theni, Theni District.

+1cc to Mr.J.ANAND KUMAR, Advocate, SR.No.55577

W.P (MD) No.6743 of 2019

and

W.M.P. (MD) No.5387 of 2019

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