



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.07.2019

CORAM

THE HONOURABLE MR.JUSTICE **D.KRISHNAKUMAR**

W.P. (MD) No.16943 of 2019

and

W.M.P. (MD) Nos.13520 & 13521 of 2019

C.Anuradha

...Petitioner

Vs.

1.The District Collector,
Tirunelveli District.

2.The Sub Collector,
Cheranmahadevi,
Tirunelveli District.

3.The Enquiry Officer/Tahsildar,
Cheranmahadevi Taluk,
Tirunelveli District.

4.The Tahsildar,
Ambasamudram Taluk,
Tirunelveli District.

...Respondents

PRAYER: Writ petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the entire records pertaining to the enquiry report dated 04.07.2018 given by the third respondent and quash the same.

For Petitioner : Mr.R.Anand
For Respondents : Mr.A.Muthukaruppan
Additional Government Pleader

ORDER

This Writ Petition has been filed to quash the enquiry report dated 04.07.2018 given by the third respondent.

2.Mr.A.Muthukaruppan, learned Additional Government Pleader takes notice for the respondents. By consent, this Writ Petition is taken up for final disposal at the admission stage itself.

3. According to the petitioner, a charge memo vide proceedings in A4/13266/17 dated 09.01.2018, has been issued under Rule No.17 (b) of Tamil Nadu Government Servants Conducts (Discipline and



Appeal) Rules, against him by the second respondent, while he was working as Village Administrative Officer at Ravanasmudram Village, Ambasamudram Taluk, Tirunelveli District.

4. Thereafter, the second respondent has appointed the third respondent as Enquiry Officer and after concluding the enquiry, a report dated 04.07.2018, has been submitted before the second respondent. Based on the said report, the second respondent has

issued the notice dated 06.07.2018, to the petitioner, directing him to appear on 16.07.2018 to submit his explanation. Challenging the said notice and the report submitted by the third respondent, the present writ petition has been filed.

5. The learned Additional Government Pleader appearing for the respondents would submit that based on the enquiry report dated 04.07.2018, the second respondent directed the petitioner to appear before him on 16.07.2018 to submit his explanation. With regard to the same, if the petitioner has any grievance, he can submit his grievance in his explanations. At this juncture, challenging the said notice and the report submitted by the third respondent before this Court is not maintainable.

6. Considering the facts and circumstances of the case and in view of the submissions made by both parties, there is no *prima facie* case is made out to entertain this writ petition. Since the second respondent has given sufficient opportunity to the petitioner to submit his explanation, the petitioner has approached this Court at premature stage and hence, the writ petition is liable to be dismissed.

7. This writ petition is dismissed accordingly with liberty to the petitioner to submit his explanations before the second respondent for his grievance. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS-II)

// True Copy //

Sub Assistant Registrar(CS)

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To

1. The District Collector,
Tirunelveli District.



2.The Sub Collector,
Cheranmahadevi,
Tirunelveli District.

3.The Enquiry Officer/Tahsildar,
Cheranmahadevi Taluk,
Tirunelveli District.

4.The Tahsildar,
Ambasamudram Taluk,
Tirunelveli District.

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 79232

W.P. (MD) No.16943 of 2019

SE (CO)
TR (14.08.2019) 3P 6C