

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2020

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.No.7955 of 2020

and

WMP No.9394 & 9589 of 2020

R.Kalairasi

...Petitioner

Vs.

1.Tamil Nadu 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 Writ of Certiorari, to call for the records of the respondents 1 & 2 in connection with the impugned orders passed by them in Rc.No.6738/E3(2)/2019 dated 20.02.2020 appointing the enquiry officer in the impugned charge memo in Rc.No.1134/2019/E dated 26.08.2019 and to quash the same.

For Petitioner : Mr.C.B.Murali Krishnan

For Respondent : Mr.V.Kathirvelu
Special Government Pleader

ORDER

The matter is taken up through web hearing.

2.This writ petition has been filed with the following prayer:

"To call for the records of the respondents 1 & 2 in connection with the impugned orders passed by them in Rc.No.6738/E3(2)/2019 dated 20.02.2020 appointing the enquiry officer in the impugned charge memo in Rc.No.1134/2019/E dated 26.08.2019 and to quash the same".

3. According to the petitioner, she was an employee of the respondent Board and she had some difficulty in being posted to a place far away from her home town. Therefore, she opted for Voluntary Retirement Scheme, which was not accepted by the Board, in 2019.

4. While the matter stood thus, a Charge Memo was issued to the petitioner on 26.08.2019 alleging certain acts of misconduct. Thereafter, vide proceedings of the Board dated 20.02.2020, an Enquiry Officer was appointed to enquire into the charges framed against the petitioner. The said proceedings is under challenge in the present writ petition.

5. This Court is unable to appreciate as to how appointment of Enquiry Officer could be a subject matter of challenge, when no factual averments or grounds raised against the impugned appointment. In effect, what is actually challenged is the charge memo and even for that no worthwhile grounds have been raised. The entire affidavit comes up with disjointed facts with no relation to each other and this Court is unable to appreciate as to what exactly is the grievance of the petitioner.

6. Even otherwise, the grounds raised in support of the challenge are awfully inadequate and bald, which cannot be looked into even for a second by any Court, not to speak of the Constitutional Court exercising its jurisdiction under Article 226 of the Constitution of India.

7. In any event, a Charge Memo cannot be the subject matter of challenge without acceptable or proper grounds. Therefore, the writ petition is highly misconceived, misplaced and liable to be rejected outright. Accordingly, the writ petition stands dismissed. No costs. Connected miscellaneous petitions are dismissed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

msh/mrm

To

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

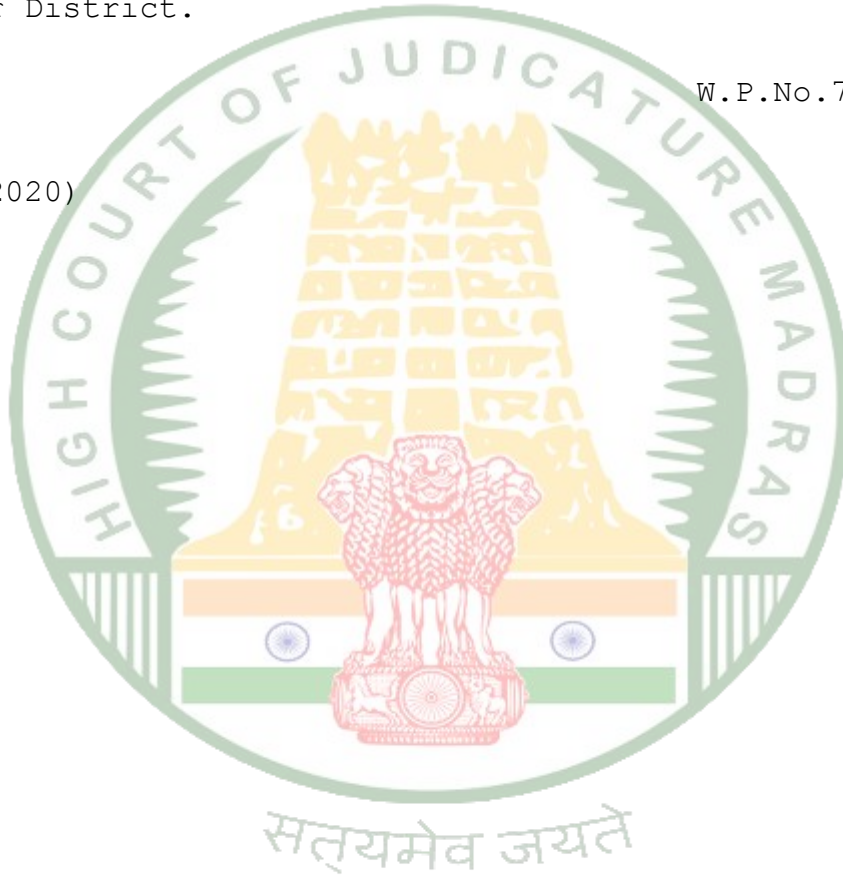
2.The Assistant Director,
Khadi and Village Industries,
Salem District.

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

W.P.No.7955 of 2020

VS (CO)

CB(01/10/2020)



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