

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2020

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.Nos.10431, 10433, 10437, 10442, 10451 and 10456 of 2020
and

W.M.P.Nos.12684, 12687, 12688, 12692, 12694,
12699, 12705, 12706, 12708 and 12709 of 2020

1.W.P.No.10431 of 2020

N.M.Sivakumar

2.M.Nedumaran

3.M.Anbarasan

4.K.Loganathan

5.G.Krishnamoorthy

6.G.Murugan

...Petitioner in WP.10433/2020

...Petitioner in WP.10437/2020

...Petitioner in WP.10442/2020

...Petitioner in WP.10451/2020

...Petitioner in WP.10456/2020

Vs.

The District Manager,
TASMAC Ltd.,
Vellore District

...Respondent in all WPs

Common Prayer:

Writ Petition filed under Section Article 226 of the
Constitution of India praying Writ of certiorari to call for the
records on the file of the respondent in Ref., 2/146/சுவி/2020,
நாள் :14.07.2020 and quash the same.

For Petitioner : Mr.D.Bharathy

For Respondent : Mr.P.Arumugha Rajan,
Standing Counsel

COMMON ORDER

The matters are taken up through web hearing.

2.All these Writ petitions have been filed challenging the
show cause notice, dated 14.07.2020, passed by the respondent,
directing the petitioners to submit their explanation for
certain lapses committed by them in their discharge of duties as
employees of the respondent Corporation. The challenge to the
show cause notice is merely on the basis of self serving
averments of the petitioners and this Court finds that there are
no worthwhile grounds raised in the affidavit, compelling this
Court to intervene at the stage of show cause notice. The

impugned proceedings is nothing but a show cause notice and instead of offering explanation, the petitioners have chosen to approach this Court directly.

3.This Court's extraordinary jurisdiction under Article 226 of the Constitution of India cannot be invoked for challenging the show cause notices, particularly, in these cases, when the petitioners have been merely called upon to give their explanation on the alleged lapses committed by them. Instead of giving explanation and awaiting final orders thereon, the petitioners have straightaway rushed to this Court.

4.This Court cannot appreciate the challenge of the petitioners by traversing into the factual aspects and it is always desirable and better that the petitioners submit their explanation and await the final orders to be passed by the authority concerned. It is certainly not proper for the petitioners to approach this Court at this stage. This Court is, therefore, of the view that these writ petitions are not to be entertained at this stage. However, considering the facts and circumstances of the case, instead of dismissing the writ petitions, it is open to the petitioners to submit an explanation to the show cause notice impugned in these writ petitions within a period of one week from the date of receipt of copy of this order. On such explanation being submitted, the competent authority is directed to pass appropriate orders on merits and in accordance with law within a period of four weeks thereafter.

5.The writ petitions stand disposed of accordingly. No costs. Connected miscellaneous petitions are dismissed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To
The District Manager,
TASMAC Ltd.,
Vellore District

W.P.Nos.10431, 10433, 10437, 10442,
10451 and 10456 of 2020

AJS (CO)

RV (07/10/2020)