

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.08.2020

CORAM

THE HONOURABLE THIRU JUSTICE V. PARTHIBAN

W.P.No.10589 of 2020

&

W.M.P.No.12866 of 2020

M.RadhaKrishnan

... Petitioner

.Vs.

The Deputy Collector/District Manager,  
Tamil Nadu State Marketing Corporation Limited,  
(TASMAC), Villupuram District.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, calling for the records relating to impugned proceedings issued by the respondent in No.A1/2247/2019 dated 01.07.2020 directing the petitioner to pay a fine amount of Rs.10,000/- and sum of Rs.1,800/- towards GST, altogether a sum of Rs.11,800/- in accordance with Anty fraud policy 2014 failing which departmental action will be initiated and the same may be quashed.

For Petitioner: M/s.S.P.Arthi

For Respondent : Mr.Arumuga Rajan, SC

ORDER

The matter is taken up through web hearing.

2.The writ petition is filed with the following prayer;  
"To call for the records relating to impugned proceedings issued by the respondent in No.A1/2247/2019 dated 01.07.2020 directing the petitioner to pay a fine amount of Rs.10,000/- and sum of Rs.1,800/- towards GST, altogether a sum of Rs.11,800/- in accordance with Anty fraud policy 2014 failing which departmental action will be initiated and the same may be quashed."

3. When the matter is taken up for hearing it is found that the proceedings, which is impugned in the writ petition, is only a show cause notice directing the petitioner to show cause as to why final orders need not be passed for certain lapses committed by him in discharge of his duties as employee of the respondent Corporation, for which a reply was given by the petitioner on 16.07.2020. However, it appears that no final order has been passed by the respondent on the reply submitted by the petitioner. Without waiting for the final order to be passed by the respondent, the petitioner has approached this Court, seeking to challenge the show cause notice dated 01.07.2020.

4. This Court is unable to appreciate the challenge of the petitioner by traversing into the factual aspects and come to a conclusion. When the petitioner has given reply to the show cause notice impugned, he shall await the final orders to be passed by the authority concerned. It is certainly not proper for the petitioner to approach this Court at this stage. This Court is, therefore, of the view that this writ petition is not maintainable at this stage and therefore, the same is dismissed. In case any final order is passed and adverse to the petitioner, it is always open to him to work his remedies in a manner known to law, if he so advised. Connected miscellaneous petition is closed.

Sd/-  
Assistant Registrar

//True copy//

Sub Assistant Registrar

To

The Deputy Collector/District Manager,  
Tamil Nadu State Marketing Corporation Limited,  
(TASMAC), Villupuram District.

WEB COPY

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