

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2020

CORAM :

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.No.13815 of 2020

and

W.M.P.Nos.17177 & 17182 of 2020

E.Thangapandi

... Petitioner

-Vs-

1. Government of Tamil Nadu,
Rep by its
Secretary to Government,
Home Department,
Fort St.George,
Chennai-9.

2. The Additional Director General of Police,
and Inspector General of Prisons,
Egmore, Chennai-8.

3. The Deputy Inspector General of Prisons,
(Head Quarters),
Chennai-8.

... Respondents

Prayer :

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records pertaining to the impugned charge memo issued by the third respondent in his proceedings in No.26800/ES1/2019 dated 30.12.2019 and quash the same.

For Petitioner : Mr.V.Kannan

For Respondents : Mr.R.A.S.Senthilvel, AGP

O R D E R

This writ petition has been filed to issue a Writ of Certiorari, to call for the records pertaining to the impugned charge memo issued by the third respondent in his proceedings in No.26800/ES1/2019 dated 30.12.2019 and quash the same.

2. The case of the petitioner is that he was appointed on compassionate ground as Junior Assistant on 26.06.2019. Immediately after joining the post on compassionate ground, the petitioner was placed under suspension on 22.07.2019, on the ground that the petitioner was remanded to Central Prison, Palayamkottai on 20.07.2019, in relation to the offence said to have been committed by the petitioner under Sections 406, 465, 468, 471 and 420 I.P.C.

3. Subsequent to the issuance of suspension order, a charge memo was also issued against the petitioner by proceedings dated 30.12.2019, under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, with reference to the involvement of the petitioner in the criminal case. The present writ petition has been filed challenging the above said charge memo.

4. According to the learned counsel for the petitioner, the charge framed against the petitioner was vague and no material particulars were mentioned to enable the petitioner to effectively put up his defence to the charge framed against him.

5. Other than the above statement, nothing is found in the affidavit filed in support of this writ petition, meriting any consideration by this Court. The charge against the petitioner is that he failed to inform the involvement in the criminal case and without disclosing the said fact, the petitioner had obtained appointment on compassionate ground. Therefore, nothing is more required for the petitioner to understand the charge and give his reply.

6. The writ petition on the whole is absolutely bereft of any grounds for challenging the charge memo. The petitioner has merely come up with this writ petition on the basis of certain facts which have no relevance for adjudication of illegality of the charge memo.

7. On the whole, this Court is of the view that the writ petition is completely devoid of any substance and merits and is liable to be rejected at the outright. Therefore, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are also closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

gsk

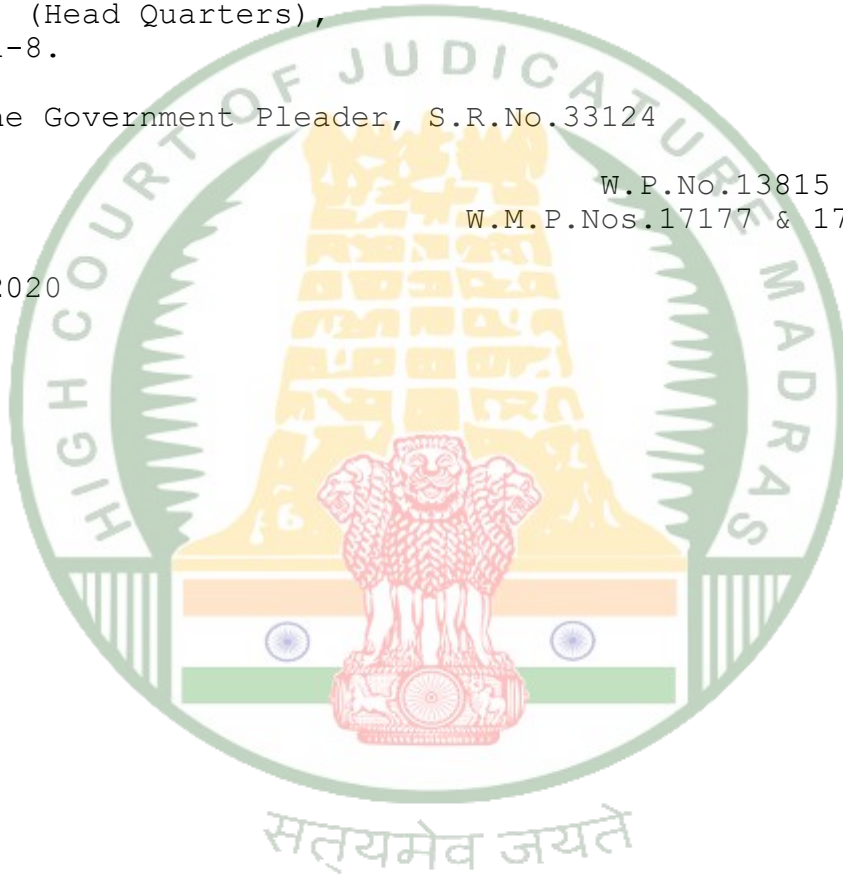
To

1. The Secretary to Government,
Home Department,
Fort St.George,
Chennai-9.
2. The Additional Director General of Police,
and Inspector General of Prisons,
Egmore, Chennai-8.
3. The Deputy Inspector General of Prisons,
(Head Quarters),
Chennai-8.

+1cc to the Government Pleader, S.R.No.33124

W.P.No.13815 of 2020 and
W.M.P.Nos.17177 & 17182 of 2020

GJ(CO)
CS/10/11/2020



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