

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2020

CORAM

THE HONOURABLE THIRU JUSTICE V. PARTHIBAN

W.P.NOS.14193 & 14199 OF 2020

AND

W.M.P.NOS.17665, 17666, 17669 & 17670 OF 2020

V.Settu ...Petitioner in W.P.No.14193/2020

D.Raji ...Petitioner in W.P.No.14199/2020

Vs.

The District Manager,
TASMAC Ltd.,
Vellore District.

...Respondent in W.P.No.14193/2020

The District Manager,
TASMAC Ltd.,
Arakonam District.

...Respondent in W.P.No.14199/2020

Common Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorari, to call for the records on the file of the respondent in Ref.Nos. 2/146/2020 dated 14.07.2020 and 1/303/2020 dated 19.06.2020 respectively and quash the same.

For Petitioner : Mr.D.Bharathy

For Respondent : Mr.P.Arumugarajan

Standing Counsel

...in both WPs

COMMON ORDER

Both these Writ petitions have been filed challenging the show cause notices dated 14.07.2020 & 19.06.2020 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.

2.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. It appears that the petitioners have also given explanation to the show cause notices on 29.08.2020. However, without waiting for the final orders to be passed by the respondent, the petitioners have rushed to this Court.

3.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, it is open to the petitioners to await the final orders to be passed pursuant to the impugned show cause notice and if any orders passed adversely against the interest of the petitioner, the petitioners are at liberty to challenge the same at that point of time.

4.The writ petitions stand dismissed as of now. No costs. Consequently, connected miscellaneous petitions are dismissed.

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

mrm/pns

To

1. The District Manager,
TASMAC Ltd.,
Vellore District.
2. The District Manager,
TASMAC Ltd.,
Arakonam District.

W.P.Nos.14193 & 14199 of 2020

AJS (CO)
CS/06/11/2020