

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.10.2020

CORAM

THE HONOURABLE THIRU JUSTICE V. PARTHIBAN

W.P.Nos.14140, 14141 & 14147 of 2020

and

W.M.P.Nos.17575, 17578, 17586, 17588, 17596 & 17598 of 2020

E.Kumar ... Petitioner in W.P.No.14140/2020

P.Selvam ... Petitioner in W.P.No.14141/2020

S.Suresh ... Petitioner in W.P.No.14147/2020

Vs.

The District Manager / Sub Collector,
TASMAC Ltd.,
Thiruvallur (West) District,
Thiruvallur.

...Respondent in all WPs.

Common Prayer: Writ Petitions 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.No.A4/121/2020-45, A4/121/2020-33 & A4/121/2020-45 respectively dated 27.06.2020 and quash the same.

For Petitioners : Mr.D.Bharathy

For Respondent : Mr.K.Sathish Kumar
Standing Counsel

...in all Wps

Common Order

All these Writ petitions have been filed challenging the show cause notice dated 27.06.2020, 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. 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 closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

To

The District Manager / Sub Collector,
TASMAC Ltd.,
Thiruvallur (West) District,
Thiruvallur.

Mg(co)
krd 3/11

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W.P.Nos.14140, 14141 & 14147 of 2020

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