

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2020

CORAM

THE HONOURABLE THIRU JUSTICE V. PARTHIBAN

W.P.Nos.15252 & 15257 of 2020
and
W.M.P.Nos.19077 & 19083 of 2020

T.DhanalakshmiPetitioner in both the W.Ps

Vs.

1. The Deputy General Manager (Tech)
Tamil Nadu Cements Corporation Ltd.,
Ariyalur Cement Works,
Ariyalur.
2. The Personnel Manager,
Tamil Nadu Cements Corporation Ltd.,
Ariyalur Cements Works,
Ariyalur.

....Respondents in both the W.Ps.

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 1st respondent in proceedings No.TANCEM/PL-1/ 2020 dated 03.09.2020 and Ref. IRNPEM/ ACAa/ Pani/2020 dated 25.09.2020 respectively and quash the same.

For Petitioner: Mr.K.Sannjay

COMMON ORDER

The matter is taken up through web hearing.

2. Both these Writ petitions have been filed challenging the respective charge memorandum issued against the petitioner dated 03.09.2020 and 25.09.2020.

3. The case of the petitioner is that while she was working as Technical Executive under the respondent, she was issued with a charge memorandum for willful insubordination and disobedience and also negligence in discharge of her duties, were in relation to charge memorandum dated 03.09.2020. As regards the other memorandum is concerned dated 25.09.2020, she was charged

with secretly recording the conversation between her and the officials of the department during her official interaction with them on various dates, which conduct of the petitioner was in violation of the conduct rules.

4. According to the petitioner, she was eligible to be promoted as Manager and in order to deny her promotion, the respondents have come up with the concocted charges. According to her, the charges were willfully framed on a malafide consideration. On those generic grounds, the charge memoranda have been put to challenge.

5. This Court has gone through the contents of the affidavit and also the grounds raised therein and does not find an iota of legal substance in interfering with the charge memoranda.

6. In fact, this Court finds that both the averments and the grounds are entirely in realm of explanation of the petitioner to be given to the charge memoranda. She also appears to have some grievance regarding her non-promotion to the next higher post and the averments contained in the affidavit appear to be disjointed and jumbled up and do not make any legal sense to this Court to appreciate her challenge.

7. On the whole, the grounds raised in support of the challenge are bereft of any merit and on the basis of such legally unacceptable reason, this Court cannot entertain this writ petition, particularly, when a challenge is made to the charge memoranda. It is always open to the petitioner to give her explanation to the charge memoranda and prove her innocence and certainly, it is not open to the petitioner to rush to this Court and challenge the charge memoranda and expect this Court to intervene on the basis of sketchy, incoherent averments and shallow grounds.

8. In the circumstances, the Writ Petitions are dismissed as premature and devoid of merits at present. No costs. Consequently, connected miscellaneous petitions are dismissed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Deputy General Manager (Tech)
Tamil Nadu Cements Corporation Ltd.,
Ariyalur Cement Works,
Ariyalur.
2. The Personnel Manager,
Tamil Nadu Cements Corporation Ltd.,
Ariyalur Cements Works,
Ariyalur.

+2ccs to Mr.Sannjay, Advocate, Sr.No. 35288 & 35287

W.P.Nos.15252 & 15257 of 2020

UM(CO)
RMP(09/12/2020)



WEB COPY