



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: **30.01.2020**

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH
Writ Petition(MD) No.1224 of 2020

WEB COPY

S.Sathiyendran

... Petitioner

/vs./

1.The Chief Educational Officer,
Office of the Chief Educational Office,
Ramanathapuram,
Ramanathapuram District.

2.The District Educational Officer/
The Enquiry Officer,
Office of the District Educational Office,
Mandabam Educational District.
Ramanathapuram,
Ramanathapuram District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the respondent to furnish the list of documents annexed in the charge memo issued by the first respondent in his proceedings Na.Ka.No.8018/Aa2/2018, dated 26.10.2018 and thereafter proceed with the enquiry and conclude the same within the period that may be stipulated by this Court.

For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates
For Respondents : Mr.M.Karuppasamy
Government Advocate

ORDER

The limited prayer sought for in the present writ petition is for issuance of the documents relying upon by the first respondent in the impugned charge memo in Na.Ka.No.8018/Aa2/2018, dated 26.10.2018. In connection with the claim, the petitioner had made a representation on 07.12.2019, which has not been considered and accordingly prompted the petitioner to file the present writ petition.

2.It is needless to point out that when the respondents placed reliance on certain documents for the purpose of framing the charges against the petitioner, there is a duty cast on them to furnish such documents to the delinquent in order to extend an opportunity to putforth his objections to the charges during the course of enquiry.



As such, keeping the petitioner's request made in his representation, dated 07.12.2019 in abeyance, cannot be justified.

3.In the light of the above observations, there shall be a direction to the second respondent herein to furnish him with the copies of the documents relied upon by them in annexure 3 and 4 of the charge memo in Na.Ka.No.8018/Aa2/2018, dated 26.10.2018, at least within a period of twelve weeks from the date of receipt of a copy of this order.

4.The Writ Petition is allowed accordingly. No costs.

Sd/-

Assistant Registrar

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

sji

To

1.The Chief Educational Officer,
Office of the Chief Educational Office,
Ramanathapuram,
Ramanathapuram District.

2.The District Educational Officer/
The Enquiry Officer,
Office of the District Educational Office,
Mandabam Educational District.
Ramanathapuram,
Ramanathapuram District.

+1 CC to SPL.GP (SR-4336[F] dated 31/01/2020)
+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-4211[F] dated
31/01/2020)

Order made in
W.P. (MD) No.1224 of 2020
30.01.2020

MK (13.02.2020) 2P 5C