



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2020

CORAM:

THE HONOURABLE **MR. JUSTICE M.S.RAMESH**

W.P. (MD) No.3354 of 2020

and

W.M.P (MD) No.2810 of 2020

WEB COPY

T.Nithya

... Petitioner

/vs./

1.The Additional Chief Engineer,
General Construction Circle,
Tamilnadu Transmission Corporation,
Tiruchy-620 020.

2.The Executive Engineer,
Transmission Line Construction,
General Construction Circle,
Tamilnadu Transmission Corporation,
Trichy-620 026.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of certiorari, to call for the records of the orders passed by the first respondent in his proceeding கு.ஆ.எண்.017/நி.பி.II/உ.4/கோ.ஒ.ந/2020 dated 30.01.2020 and quash the same.

For Petitioner
For Respondents

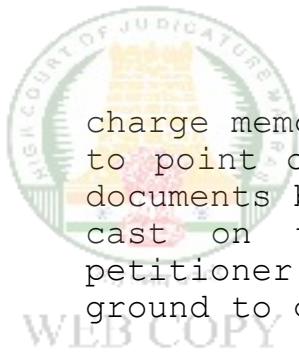
: Mr.D.Selvanayagam
: Mr.T.Sakthi Kumaran
Standing Counsel

ORDER

By consent of both parties, this writ petition is taken up for final disposal at the stage of admission itself.

2.The learned counsel for the petitioner would question the authority of the respondent in issuing the charge memo. Such a ground cannot be sustained in view of the fact that Clause-VII of Chapter-III of the Tamil Nadu Electricity Board Employees' Discipline and Appeal Regulations, provides that the appointing authority or any other higher authority is competent to initiate a disciplinary proceeding. In the instant case, the Superintendent Engineer had initiated the disciplinary proceedings, which is well within the authority to do so and therefore, such a ground cannot be sustained.

3.The learned counsel for the petitioner would also raise a ground that the documents referred to in Annexure -III of the



charge memo has not been supplied to the petitioner. It is needless to point out that when the respondents placed reliance on certain documents based on which enquiry has been initiated, there is a duty cast on them to supply the copies of the documents to the petitioner. However non-supply of the document itself may not be a ground to quash the charge memo.

4.In the light of the above observations, there shall be a direction to the first respondent to provide the copies of the documents in Annexure-III of the impugned charge memo dated 30.01.2020, to the petitioner, atleast within a period of one week from the date of receipt of a copy of this order. Apart from this observations, I am not inclined to interfere with the charges levelled against the petitioner. This Writ Petition is closed accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (AD-I)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

Cp

To

1.The Additional Chief Engineer,
General Construction Circle,
Tamilnadu Transmission Corporation,
Tirchy-620 020.

2.The Executive Engineer,
Transmission Line Construction,
General Construction Circle,
Tamilnadu Transmission Corporation,
Trichy-620 026.

+1 CC to Mr.T.SAKTHIKUMARAN, Advocate (SR-7133[F] dated 19/02/2020

Order made in
W.P. (MD) No.3354 of 2020
19.02.2020

VB(10.03.2020) 2P 4C