



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.01.2020

CORAM:

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

W.P. (MD) No.26942 of 2019

and

W.M.P (MD) No.23292 of 2019

WEB COPY

K.Senthil Kumar

... Petitioner

/vs./

1.The Commissioner,
Trichy City Municipal Corporation,
Trichy.

2.The Assistant Commissioner,
Srirangam Zone,
Trichy City Municipal Corporation,
Trichy.

3.The Assistant Commissioner,
Ariyamangalam,
Trichy City Municipal Corporation,
Trichy.

4.The Enquiry Officer Cum Assistant Commissioner,
Ariyamangalam,
Trichy City Municipal Corporation,
Trichy.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of writ of Certiorarified mandamus, to call the impugned order in the proceedings in Na.Ka.No.5497/2003/C3 (Main) dated 25.11.2019 on the file of the first respondent and to quash the same as illegal, and consequently directing the respondent to give the service and monetary benefits from the date of appointment (i.e.,) 27.02.1999.

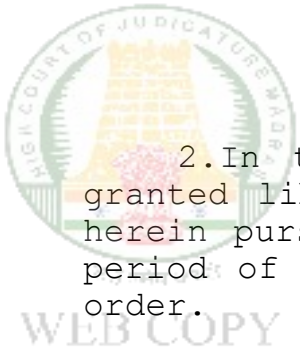
For Petitioner : Mr.J.Ashok

For Respondents : Mr.N.S.Karthikeyan

Standing Counsel

ORDER

The petitioner herein has challenged the enquiry report calling upon the petitioner to submit his explanation pursuant to the report. At this stage, it would not be appropriate for this Court to exercise its power under Article 226 of the Constitution of India, since it is always open to the petitioner to put forth all his contentions by way of objection to the Enquiry Officer report. It is also pointed out that it would not be appropriate to have the report quashed at this stage, when the show cause notice alone has been issued calling for the objection to their report. Nevertheless if the petitioner is granted liberty to give his objection to the Enquiry Officer report, the ends of justice could be secured.



2.In the light of the above observations, the petitioner is granted liberty to file his objection before the first respondent herein pursuant to the show cause notice dated 25.11.2019 within a period of seven days from the date of receipt of a copy of this order.

3.This Writ Petition stands closed with the above liberty. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

cp

+1 CC to M/s.N.S.KARTHIKEYAN, Advocate (SR-4065[F] dated 31/01/2020

+1 CC to M/s.A.SELVENDRAN, Advocate (SR-4184[F] dated 31/01/2020)

Order made in

W.P.(MD) No.26942 of 2019

30.01.2020

SMA/14/02/2020/2P/3C