



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.11.2021

CORAM

THE HONOURABLE MR.JUSTICE V.PARTHIBAN

W.P.NO.24683 OF 2021

AND

W.M.P.NO.25978 OF 2021

N.Vetriselvan
Revenue Supervisor,
Office of Assistant Electrical Engineer,
Village Rural West, Ulundurpet,
TNEB, Kalakurichi District.

... Petitioner

.Vs.

1. The Superintending Engineer Distribution,
Circle, Chapper Hill,
TNEB - TANGEDCO,
Cuddalore - 607 004.

2. The Chief Engineer,
TNEB/ TANGEDCO
Villupuram.

... Respondents

PRAYER:-

Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records of the 1st respondent in Charge Memo No.821(137)-3/NRI/U3KON/2019 dated 26.09.2019 and quash the same.

For Petitioner : Mr.G.Surya Narayanan

For Respondents : Mr.P.Subramanian
Standing Counsel

O R D E R

This Writ Petition has been filed to issue a Writ of Certiorari to call for the records of the 1st respondent in Charge Memo No.821(137)-3/NRI/U3KON/2019 dated 26.09.2019 and quash the same.



2. The short facts which gave rise to the filing of the writ petition is that while the petitioner was working as Revenue Supervisor, he was issued with a charge memorandum dated 26.09.2019. The charges relate to non-deposit of the collection made by him in Mangalore Division on the same day. The charge memo contained two articles of charges. The charges also relate to lodging of false complaint against one Assistant Engineer. Challenging the charge memo, the petitioner is before this Court.

3. According to the petitioner, he was not in charge of collecting cash at all and was not assigned any duty handling cash. Regarding the false complaint against one Assistant Electrical Engineer, Mangalore, already a complaint was given by some people who are working under him.

4. The learned counsel Mr.G.Surya Narayanan appearing for the petitioner would draw the attention of this Court to various factual events which according to him, would not constitute the basis for charge memorandum issued against the petitioner. In effect, the learned counsel would implore this Court's intervention to the charge memorandum, on the basis of the appreciation of the factual aspects of the defence to be taken by the petitioner as to the allegations made against him.

5. The grounds raised in the writ petition are that the charges are vague and also factually not sustainable. In fact, this Court does not see any material grounds urged in the affidavit enabling this Court to interfere at the stage of charge memorandum. It is needless to mention that the Court's intervention cannot be called for on the basis of the factual aspects which are mandatorily to be proved in the course of the enquiry proceedings initiated against the petitioner.

6. This Court cannot appreciate the factual defence taken by the petitioner against the allegations on the basis of the self-serving averments contained in the affidavit.

7. Moreover, from the contents of the charge, this Court does not see any vagueness preventing the petitioner from making any effective representation. In any event, this Court does not see any worthy ground raised in the writ petition compelling this Court to interfere at the stage of disciplinary action initiated against the petitioner. On the whole, this Court finds that the writ petition completely lacks in merits and substance and bereft of any ground calling for intervention .



8. For the above reasons, the Writ Petition stands dismissed at the admission stage. No costs. Consequently, connected miscellaneous petition is closed.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi

To

1. The Superintending Engineer Distribution,
Circle, Chapper Hill,
TNEB - TANGEDCO,
Cuddalore - 607 004.
2. The Chief Engineer,
TNEB/TANGEDCO
Villupuram.

+1cc to Mr.P.Subramanian, Advocate, S.R.No.59891

W.P.NO.24683 OF 2021

SSD(CO)
PBS/13/12/2021