



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 30.11.2021

CORAM:

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**W.P (MD)No.4233 of 2020**

**and W.M.P. (MD)Nos.3567 and 3568 of 2020**

WEB COPY

C.Jawahar

... Petitioner

versus

1. The Managing Director,  
Tamil Nadu Minerals Limited,  
Chennai - 5.
2. The Assistant General Manager (P&A),  
Tamil Nadu Minerals Limited,  
Chennai - 5.
3. Mr.V.Santhanam,  
Assistant General Manager (P&A),  
Tamil Nadu Minerals Limited,  
Ennore, Chennai.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, seeking for the issuance of Writ of Certiorari, to call for the records relating to the impugned order passed by the 2<sup>nd</sup> respondent vide his proceedings in Na.Ka.No.11273/E1/2012 dated 17.02.2020 along with its enquiry report submitted by the 3<sup>rd</sup> respondent vide his proceedings dated 24.01.2020 and quash the same as illegal.

For Petitioner : Mr.Mohammed Imran  
for M/s.Ajmal Associates

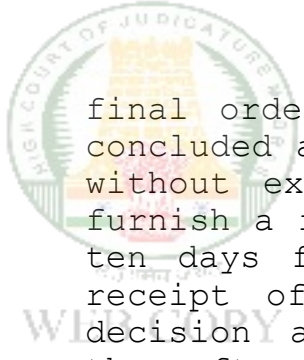
For R1 & 2 : Mr.A.K.Manickam,  
Special Government Pleader

### ORDER

This writ petition is filed challenging the second show cause notice dated 17.02.2020 issued by the disciplinary authority based on the enquiry report dated 24.01.2020.

2. The petitioner, while working as a Project Officer, has been slapped with a charge memo dated 10.12.2012. Thereafter, the enquiry was completed and based on the enquiry report, the disciplinary authority issued second show cause notice which is impugned in this writ petition.

3. Though this Court has not granted any interim order, for the reasons best known to the respondents, they have not passed any



final order for the past two years. Since the enquiry was also concluded and second show cause notice was also issued, this Court, without expressing anything on merits, directs the petitioner to furnish a reply to the second show cause notice, within a period of ten days from the date of receipt of a copy of this order. On receipt of such reply, the disciplinary authority shall take a decision and pass final orders within a period of four weeks thereafter.

4. The disciplinary authority shall find out, if there is any nexus between other officers in delaying the process of disciplinary proceedings against the petitioner and if the disciplinary authority finds, there is nexus between other officers, they shall be referred to the concerned authority and necessary action shall be taken against those officers.

5. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

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To

1. The Managing Director,  
Tamil Nadu Minerals Limited,  
Chennai - 5.
2. The Assistant General Manager (P&A),  
Tamil Nadu Minerals Limited,  
Chennai - 5.

+1 CC to M/s.AJMAL ASSOCIATES, Advocate ( SR-37107[F] dated 02/12/2021 )

+1 CC to M/s.A.K.MANIKKAM, Advocate ( SR-36835[F] dated 01/12/2021 )

+1 CC to M/s.SPL GP ( SR-36984[F] dated 02/12/2021 )

**W.P(MD)No.4233 of 2020**

**30.11.2021**

MGJ(14.12.2021) 2P 6C