



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.06.2021

CORAM:

THE HONOURABLE MR.JUSTICE T.S.SIVAGNANAM

AND

THE HONOURABLE MRS.JUSTICE S.ANANTHI

W.A.[MD]No.794 of 2018

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V.Vembulu

... Appellant

Vs.

- 1.Tamil Nadu Generation and Distribution Corporation Limited,
Represented by its Chairman,
No.114, Anna Salai, Chennai - 02.
 - 2.The Chief Engineer (Personal),
Tamil Nadu Generation and Distribution Corporation Limited,
No.114, Anna Salai, Chennai - 02.
 - 3.The Regional Chief Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Tirunelveli Region, Tirunelveli.
 - 4.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Virudhunagar Distribution,
Virudhunagar.
- ... Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent, praying to allow the appeal and set aside the order in WP(MD) No.15422 of 2013 dated 27.02.2018 on the file of this Court.

Prayer in WP(MD). 15422 of 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the Respondents No.2 to 4 to furnish the reports, DFC Inspector Report, BOAB Audit Report, Report of the Assistant Account Officer Revenue Branch, Sivakasi Bank Remittance Certificate, Cheque Register Demand Collection Balance Register, Cheque Register and Bank Reconciliation Statement Prior to the Enquiry Proceedings to the Petitioner within the time stipulated by this Honourable Court.

For Appellant : Mr.T.Lajapathi Roy

For Respondents : Mr.T.Sakthikumaran

JUDGMENT

[Judgment of the Court was delivered by T.S.SIVAGNANAM, J.]

We have heard Mr.T.Lajapathi Roy, learned counsel appearing for the appellant and Mr.T.Sakthikumaran, learned counsel appearing for the respondents.

2. The petitioner who is the appellant before us, had filed the Writ Petition praying for direction to the respondents 2 to 4 to furnish the Reports, DFC Inspection Report, BOAB Audit Report, Report of the Assistant Account Officer Revenue Branch, Sivakasi Bank Remittance Certificate, Cheque Register Demanad Collection Balance Register, Cheque Register and Bank Reconciliation Statement prior to the enquiry proceedings to the petitioner.

3. The learned Single Bench has disposed of the Writ Petition directing the respondents to permit the appellant to peruse all the relevant documents which are cited in the enquiry proceedings, so as to enable the appellant to defend himself in all aspects. The appellant is now before us insisting that he should be given copies of all records.

4. We have perused the prayer sought for in the Writ Petition and find that the appellant wants copies of Reports, DFC Inspection Report, BOAB Audit Report, Report of the Assistant Account Officer Revenue Branch, Sivakasi Bank Remittance Certificate, Cheque Register Demanad Collection Balance Register, Cheque Register and Bank Reconciliation Statement prior to the enquiry proceedings. Admittedly, all these documents are voluminous and will also contain information which may not be of any relevance to the appellant *qua* the charge proceedings. Therefore, the learned Single Bench was right in permitting the appellant to peruse all relevant documents which are cited in the enquiry proceedings, so as to enable the appellant to defend himself in the charge proceedings. Therefore, we find there is no error in the order passed by the learned Single Bench.

5. Accordingly, this Writ Appeal is dismissed. No order as to costs.

Sd/-

Assistant Registrar(CS-III)

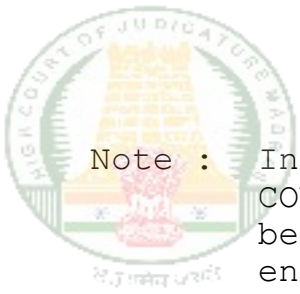
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Sub Assistant Registrar(CS)

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To

- 1.The Chairman,
Tamil Nadu Generation and Distribution Corporation Limited,
No.114, Anna Salai,
Chennai - 02.
- 2.The Chief Engineer (Personal),
Tamil Nadu Generation and Distribution Corporation Limited,
No.114, Anna Salai,
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Tamil Nadu Generation and Distribution Corporation Limited,
Tirunelveli Region,
Tirunelveli.
- 4.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation Limited,
Virudhunagar Distribution,
Virudhunagar.

+1 CC to M/s.T.SAKTHI KUMARAN, Advocate (SR-19972[F] dated 23/06/2021)

+1 CC to M/s.T.LAJAPATHIROY, Advocate (SR-20116[F] dated 24/06/2021)

JUDGMENT MADE IN
W.A.[MD]No.794 of 2018
22.06.2021

VR(CO)
TR(29.06.2021) 3P 7C