



W.P.No.17248 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2022

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.No.17248 of 2022
and W.M.P.No.16570 of 2022

A.Srinivasan

.. Petitioner

Vs.

The Superintending Engineer,
Tiruvannamalai Electricity District
and Circle / Tiruvannamalai,
Tamil Nadu Generation and Distribution
Corporation Limited,
Tiruvannamalai.

.. Respondent

Prayer: Writ Petition has been filed under Article 226 of the Constitution of India seeking a Writ of Certiorari calling for the records on the file of the Memo No.189/SE/ADO/Adm.3/A.1/F.DV&AC/2022, dated 31.05.2022 and quash the same.

For Petitioner : Mr.M.Ravi

For Respondent : Mr.P.Subramanian
Standing Counsel for TNEB



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ORDER

WEB COPY The petitioner is challenging the impugned order on the ground that without issuing any show cause notice to the petitioner, the respondent has imposed the penalty of dismissal from service on the basis of his conviction in a criminal case.

2. According to the learned counsel appearing for the petitioner, before dismissing the petitioner from service, a show cause notice has to be given to the petitioner seeking his explanation and after considering the explanation given by the petitioner, appropriate decision has to be taken by the respondent. Further according to the learned counsel for the petitioner, as the respondent has predetermined the issue, the impugned order is liable to be quashed.

3. The learned standing counsel appearing for the respondent would submit that the respondent has not predetermined the issue and the impugned order is only a show cause notice issued by the respondent to the petitioner and if the petitioner submits his explanation, the respondent would consider the same as per the Rules and Regulations of the Board and in accordance with law.



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WEB COPY 4. In view of the above submissions made by the learned standing counsel for the respondent, this Court is inclined to permit the petitioner to submit his explanation within a period of three weeks from the date of receipt of a copy of this order and on submission of the explanation by the petitioner, the respondent shall consider the same and as per the Rule and Regulation of the Board and in accordance with law and pass appropriate orders as expeditiously as possible.

5. With the above direction, this Writ Petition stands disposed of. Consequently, the connected miscellaneous petition is closed. No costs.

06.07.2022

Index: Yes / No
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To

The Superintending Engineer,
Tiruvannamalai Electricity District
and Circle / Tiruvannamalai,
Tamil Nadu Generation and Distribution
Corporation Limited,
Tiruvannamalai.



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D.KRISHNAKUMAR, J.

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