



WEB COPY

W.P.No.25014 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.12.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.25014 of 2019
and
W.M.P.Nos.24591 & 24592 of 2019

S.Govindasamy

... Petitioner

Vs.

The Managing Director,
TWAD Board,
31, Kamarajar Salai,
Chepauk, Chennai 600 005.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, to call for the impugned proceedings relating to the Charge Memo No.7887/Esst/(DP)/A2/2018-A-3 dated 24.07.2019 issued by the respondent herein and quash the same as illegal, against Natural justice and well established law.

For Petitioner : Mr.V.Vijayarajan

For Respondent : Mr.N.Ganesh Kumar
[For TWAD]



ORDER

The writ petition has been filed challenging the charge memorandum dated 24.07.2019 issued by the respondent.

2. The grievance of the writ petitioner is that the relevant documents sought for by him were not provided. However, an Enquiry Officer was appointed, who in turn is yet to commence the enquiry proceedings.

3. It is needless to state that the documents relied on by the prosecution is to be furnished to the writ petitioner and if it is confidential document, the charged official is to be allowed to peruse the files at the time of conducting the enquiry.

4. At the outset, no document can be relied on by the prosecution at the back of the charged official. Thus, the Enquiry Officer shall provide an opportunity to the writ petitioner to peruse the relevant documents relied upon by the prosecution and proceed with the enquiry by following the procedures and by affording opportunity to the writ petitioner in accordance with rules in force.



5. Long pendency of an enquiry shall also cause prejudice to an employee. Thus, the respondent is directed to proceed with the enquiry and conclude the same and pass final orders as expeditiously as possible.

6. With the above direction, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

02.12.2022

Jeni
Index : Yes
Speaking order

To

The Managing Director,
TWAD Board,
31, Kamarajar Salai,
Chepauk, Chennai 600 005.



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S.M.SUBRAMANIAM, J.

Jeni

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