



W.P.No.33619 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.12.2022

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.No.33619 of 2022 and
W.M.P.Nos.33072 and 33074 of 2022

K.Balamurugan

... Petitioner

Vs

1.The Commissioner,
O/o. Commissioner of Backward Welfare Department,
Ezhelagam, Chennai.

2.The District Welfare Officer,
O/o.District Backward and Minorities Welfare Office,
Mayladuthurai

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records in pertaining to the charge memo vide No.Na.Ka.6182/2022/L1 dated 31.10.2022 issued by the second respondent and quash the same and further direct the second respondent to consider the petitioner's explanation dated 09.11.2022.



W.P.No.33619 of 2022

For Petitioner

...

Mr.P.Muthamizh Selvakumar

For Respondents

...

Mr.D.Ravichander,
Special Government Pleader

WEB COPY

ORDER

This writ petition has been filed challenging the charge memo dated 31.10.2022 issued by the second respondent, under which, the petitioner was called upon to submit his explanation with regard to his appointment as Cook.

2.By consent of both the parties, this writ petition is taken up for final disposal in the admission stage itself.

3. The contention of the second respondent is that without being qualified, the petitioner was appointed as a Cook. The petitioner has submitted his explanation on 09.11.2022 to the impugned charge memo dated 31.10.2022 denying the allegations of the second respondent. The petitioner apprehends that he will be terminated from service very soon. In such circumstances, he has filed this writ petition.



W.P.No.33619 of 2022

4.Heard Mr.P.Muthamizh Selvakumar, learned counsel for the petitioner and Mr.D.Ravichander, learned Special Government Pleader, who accepts notice on behalf of the respondents.

5.Admittedly, no final orders have been passed by the second respondent pursuant to the impugned charge memo dated 31.10.2022. The petitioner has also submitted his explanation to the impugned charge memo on 09.11.2022. It is for the respondents to consider the same and pass final orders with regard to the impugned charge memo. The petitioner has approached this Court prematurely as no final orders have been passed. However, the interest of the petitioner who has been appointed as a Cook in the year 2021 has to be protected, till final orders are passed by the second respondent.

6.For the foregoing reasons, this Court directs the second respondent to pass final orders, pursuant to the impugned charge memo dated 31.10.2022, after giving due consideration to the detailed explanation submitted by the petitioner on 09.11.2022, on merits and in accordance with



W.P.No.33619 of 2022

ABDUL QUDDHOSE, J.

vga

law. Till final orders are passed, no coercive steps shall be taken against the petitioner with regard to his employment as a Cook.

7. With the aforesaid direction, this writ petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

14.12.2022

vga

To

- 1.The Commissioner,
O/o. Commissioner of Backward Welfare Department,
Ezhelagam, Chennai.
- 2.The District Welfare Officer,
O/o.District Backward and Minorities Welfare Office,
Mayladuthurai

W.P.No.33619 of 2022 and
W.M.P.Nos.33072 and 33074 of 2022