



W.P.(MD).No.12631 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.07.2022

CORAM

THE HONOURABLE MR. JUSTICE M.S.RAMESH

W.P.(MD).No.12631 of 2022

and

W.M.P.(MD).Nos.8943 and 9335 of 2022

C.Palaniraj

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Madurai Division,
Madurai Zonal,
Madurai – 16.

2.The General Manager,
Tamil Nadu State Transport Corporation
(Madurai) Limited,
Madurai Region,
Palanganatham,
Madurai District.

...Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the impugned proceedings in Ref.ஒந்து/D4/புற/ 4477 and 4478 dated 27.05.2022 issued by the second respondent and quash the same on the ground that the same is arbitrary, illegal and without any legal basis.



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For Petitioner : Mr.A.Rajaram
For Respondents : Mr.S.C.Herold Singh,
Standing Counsel.

ORDER

Through the impugned order, dated 27.05.2022, the second respondent herein had levelled charges against the petitioner, to the effect that the petitioner herein had captured the office premises and the employees through his mobile phone and circulated the video through social media. The petitioner herein claims to have given a reply to the impugned charge memo.

2. The grounds raised in the present Writ Petition touches upon the factual merits of the charges. Such grounds cannot be entertained under Article 226 of the Constitution of India and the proper recourse for the petitioner would be to establish his innocence in the enquiry. In this background, no interference is required to the impugned charge memo. However, if the respondents are called upon to conclude the enquiry, after giving due opportunity to the petitioner, within a stipulated time, the ends of justice could be secured.



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3. In the light of the above observations, this Writ Petition stands closed with a direction to the second respondent herein to conclude the disciplinary proceedings initiated pursuant to the impugned charge memo, dated 27.05.2022, within a period of three (3) months from the date of receipt of a copy of this order, after giving due opportunity to the petitioner to put forth his case and to cross-examine any of the management witnesses. The petitioner shall also co-operate during the enquiry proceedings. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

05.07.2022

Index : Yes / No
Internet : Yes/ No
Lm

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M.S.RAMESH, J.



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