



WP(MD)No.20043 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **25.08.2022**

CORAM:

THE HONOURABLE **MR.JUSTICE M.S.RAMESH**

W.P.(MD)No.20043 of 2022
and W.M.P.(MD)No.14579 of 2022

S.Mariappan

... Petitioner

/vs./

1.The District Collector,
Virudhunagar District.

2.The Revenue Divisional Officer,
Aruppukkottai,
Virudhunagar District.

3.Inquiry Officer,
Special Tahsildhar,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records pertaining to the show cause notice in Na.Ka.அ1/7023/2019 dated 18.08.2022 issued on 24.08.2022 by the 2nd respondent and quash the same.

For Petitioner : Mr.T.S.Mohamed Mohideen

For Respondents : Mrs.D.Farjana Ghoushia,
Special Government Pleader.



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ORDER

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By consent, this Writ Petition is taken up for final disposal.

2. As against certain charges levelled against the petitioner, through the charge memo dated 06.08.2021, an enquiry came to be conducted against the petitioner and the Enquiry Officer had held the charges to be proved. In pursuance to the proven charges, show cause notice was issued to the petitioner dated 18.08.2022, calling upon the petitioner to render his explanation to the proven charges on or before 26.08.2022. According to the petitioner, the notice dated 18.08.2022, was served on him only on 24.08.2022, which is not disputed by the learned Special Government Pleader. Effectively, the petitioner has been granted two days time to give his reply to the report of the Enquiry Officer, which may not be sufficient for rendering an effective reply.

3. Earlier, when the charges were framed against the petitioner, he had filed writ petitions challenging the charge memo, as well as seeking for legal assistance in W.P.Nos.18356 and 18372 of 2022 respectively, which are pending before this Court.



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4. However, the scope of the present writ petition is very limited, since the petitioner seems to be aggrieved only on the limited time of two days granted by the respondents for rendering his further explanation. This Court is also of the view that if 15 days time is granted to the petitioner to give his explanation to the Enquiry Officer's Report, the ends of justice could be secured.

5. Though the petitioner herein had raised certain grounds with regard to the conduct of the enquiry proceedings, I do not intend to render any observations in this regard, since it is always open to the petitioner to raise such objections in his further explanation to the second show cause notice.

6. Accordingly, the petitioner is granted liberty to give his explanation to the show cause notice dated 18.08.2022, within a period of fifteen (15) days from the date of receipt of a copy of this order.

7. With the above liberty, this Writ Petition stands closed. No costs.



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Consequently, connected miscellaneous petition is closed.

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vsm

Index : Yes / No

Internet : Yes/No



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M.S.RAMESH, J.



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Order made in
W.P.(MD) No.20043 of 2022

Dated:
25.08.2022