



W.P(MD)No.22080 of 2022

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.10.2022

CORAM

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.22080 of 2022

and

W.M.P(MD)No.16251 of 2022

A.Kumaresan

... Petitioner

Vs

1.The District Collector Cum
Inspector of Panchayats,
Theni,
Theni District.

2.The Block Development Officer (V.P),
Andipatti Panchayat Union,
Theni District.

3.Thiurmalapuram Panchayat,
Represented through by its President,
Andipatti Panchayat Union,
Theni District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records on the file of the first respondent in connection with the impugned Show Cause Notice in his proceedings in Na.Ka.No.30910/2022/Voo.Va.8 dated 05.08.2022 and quash the same.



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For Petitioner : Mr.G.Thalaimutharasu

For Respondents : Mr.A.K.Manikkam
Special Government Pleader for R.1

Mr.K.Christy Theboral
Additional Government Pleader for R.2 & R.3

ORDER

Heard the learned counsel on either side.

2. The petitioner has questioned the show cause notice dated 04.08.2022 whereby the petitioner has been called upon to offer his explanation as to why the disciplinary action should not be taken against him. When the matter was taken up for disposal, the learned Special Government Pleader appearing for the first respondent brought to my notice that the charge memo had already been framed against the petitioner on 29.08.2022. The writ petition was filed only on 16.09.2022. In other words, even before filing of the writ petition charge memo had been framed. The writ petition was infructuous even at the inception. Granting liberty to the writ petitioner to question the charge memo and leaving open the defenses of the writ petitioner, this writ petition is disposed of.

3. Taking note of the special facts and circumstances obtained in this case, the Principal District and Sessions Judge, Theni is directed to dispose of



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CrI.A.No.69 of 2022 on merits and in accordance with law within a period of four months from the date of receipt of a copy of this order. Consequently, connected miscellaneous petition is closed. No costs.

10.10.2022

Index : Yes / No
Internet : Yes/ No
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Note: Registry is directed to mark a copy of this order to the learned Principal and Sessions Judge, Theni.

To

1.The Director of Elementary Education,
Department of Elementary Education,
No.17, College Road,
Thousandwards West,
Nungambakkam,
Chennai – 600 008.

2.The District Educational Officer,
District Education Office,
Pudukkottai.



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G.R.SWAMINATHAN, J.

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