



WEB COPY



W.P.No.6266 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.03.2023

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THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.6266 of 2023
and W.M.P.Nos.6285 & 6286 of 2023

C. Muthu

... Petitioner

Vs.

1.The Member Secretary,
Sports Development Authority of Tamil Nadu,
Nehru Park,
Chennai.

2.The District Sports and Youth Welfare Officer,
Karur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, calling for the records relating to the impugned order passed by the first respondent herein in his proceedings memo No.9582/ HR-1/2022 dated 17.10.2022 and the consequential order passed in Na.Ka.No.9582/Ma.Va-1/2022 dated 06.02.2023 which was served on the petitioner on 24.02.2023 and quash the same.



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For Petitioner : Mr.R. Kishore Kumar

For Respondents : Mr.S. Santhose Kumar [R1]
Mr.D. Ravichander,
Special Government Pleader [R2]

ORDER

Mr.S. Santhose Kumar, learned counsel, takes notice for the first respondent and Mr.D. Ravichander, learned Special Government Pleader, takes notice for the second respondent. With the consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

2. The charge against the petitioner is one of an unauthorized absence. The learned counsel for the petitioner submitted that an application for leave was given to the respondents, which was not considered and therefore, there is no unauthorized absence. Apart from such ground, no other ground has been raised in the present Writ Petition, challenging the Charge Memo.



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3. Insofar as the claim of the petitioner that he has given an application is concerned, the factual aspect which requires to be dealt with is only during the time of inquiry and this Court exercising its powers under Article 226 of the Constitution of India, will not entertain such ground for the purpose of quashing the Charge Memo. As such, there are no merits in the Writ Petition, challenging the Charge Memo.

4. Accordingly, the Writ Petition stands dismissed. No costs.
Connected miscellaneous petitions are closed.

01.03.2023

Speaking/Non-speaking Order
Index: Yes/No
Internet: Yes/No
Neutral Citation: Yes/No

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To

1.The Member Secretary,
Sports Development Authority of Tamil Nadu,
Nehru Park,
Chennai.

2.The District Sports and Youth Welfare Officer,
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M.S.RAMESH, J.

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