



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.09.2023

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.22535 of 2016
and
W.M.P.No.19216 of 2016

G.Velmurugan

.. Petitioner

Vs.

1.The Tamil Nadu State Transport Corporation (Villupuram) Ltd.
Rep.by its Managing Director,
Villupuram.

2.The General Manager,
The Tamil Nadu State Transport Corporation (Villupuram) Ltd.
Cuddalore,
Cuddalore District.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of the 2nd respondent made in Ka.Ku.No.126/D3/TNSTC/Ka/2015 dated 24.05.2016 and to quash the same and consequently direct the respondents to reinstate the petitioner in service with all attendant benefits including continuity of service, back wages and etc.



For Petitioner .. Mr.S.Thirumavalavan
For Respondents .. Ms.S.Pavithra, Standing Counsel

ORDER

This writ petition has been filed in the nature of a Certiorarified Mandamus seeking records of the 2nd respondent, General Manager, Tamil Nadu State Transport Corporation, Villupuram dated 24.05.2016 and to quash the same and direct the respondents to reinstate the petitioner in service with all attendant benefits.

2.The petitioner was employed as driver in the 1st respondent / Tamil Nadu State Transport Corporation Villupuram Limited. Disciplinary proceedings had been initiated and the 2nd respondent had terminated the petitioner from service. The petitioner claimed that the disciplinary proceedings have been issued consequent to a certificate produced by him about 10th Standard mark sheet, which admittedly even according to the petitioner was a fake certificate. A show cause notice had been issued. Even while replying to the show cause notice, the petitioner admitted that the certificate was false and stated that he had now produced a genuine certificate.



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3.The Court had permitted the respondents to conduct a preliminary enquiry about the genuinty of the certificate produced again by the petitioner herein and it is contended by the learned Standing counsel for the respondents that the certificate subsequently produced by the petitioner is genuine.

4.Without entering into the merits, the order now impugned is therefore quashed and a direction is given to the respondents to consider the explanation given by the petitioner and also the certificate given afresh by the petitioner and issue notice to the petitioner to appear for enquiry and call for explanation, as to why he originally produced a fake certificate and under what circumstances he had later produced a genuine certificate and consider the totality of the case and pass final orders. Such final orders should be passed within a period of sixteen weeks from the date of receipt of a copy of this order. The respondents may adhere to the principles of natural justice and then pass necessary orders.



5. With the above observations, this writ petition stands disposed of.

No costs. Consequently, connected writ miscellaneous petition is closed.

26.09.2023

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Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

Speaking order: Yes/No

To

1. The Managing Director,
Tamil Nadu State Transport Corporation (Villupuram) Ltd.
Villupuram.

2. The General Manager,
The Tamil Nadu State Transport Corporation (Villupuram) Ltd.
Cuddalore,
Cuddalore District.



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C.V.KARTHIKEYAN,J.

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