



W.P.No.12570 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.11.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.12570 of 2023
and W.M.P.No.12391 of 2023

K. Kumar

... Petitioner

Vs.

1.The Chairman,
Chennai Port Authority-cum-Disciplinary Authority,
No.1, Rajaji Salai,
Chennai – 600 001.

2.V. Subramanyam,
Inquiry Officer,
Principal Chief Materials Manager (Retd),
4/120, Medavakkam Tank Road,
Flat UG 3, Brindavan Apartments,
Ayanavaram,
Chennai – 600 023.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for records and quashing the impugned order dated 23.10.2019 vide No.V4/264/2017/VIG of the 1st respondent appointing the 2nd respondent as the Inquiry Officer in the above proceedings followed by the



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consequential order dated 11.04.2023 vide No.V4/264/2017/VIG of the 1st respondent rejecting the petitioner's representation dated 15.03.2023 requesting him to change the Inquiry Officer and consequently direct the 1st respondent to appoint any other suitable person as the Inquiry Officer for the said disciplinary proceedings vide V4/264/2017/VIG against the petitioner within time frame.

For Petitioner	: Mr.K. Ravi Anantha, Senior Counsel for Mr.B. Thirumalai
For R1	: Mr.P.M. Subramaniam, Senior Counsel for Ms.Madhuri Donti Reddy
For R2	: No appearance

ORDER

The grievance of the petitioner is that Mr.V.Subramanyam, Principal Chief Materials Manager (Retired), the second respondent herein, cannot act as an Inquiry Officer, in view of the stipulation of the age as 70 years for an Inquiry Officer to be empanelled in the Chennai Port Trust.



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2. By placing reliance on the information obtained by the petitioner on 06.11.2023 under the provisions of the Right to Information Act, 2005, the learned Senior Counsel appearing for the petitioner submitted that in view of the information given by the Chennai Port Authority, no retired officers have been appointed as Inquiry Officers in Chennai Port Authority from 01.01.2015 till the issue of Notification dated 30.10.2022, the petitioner has no grievance as on date.

3. In other words, since Mr.V.Subramanyam, Principal Chief Materials Manager (Retired), has not been appointed as an Inquiry Officer, the petitioner has no further grievance.

4. Accordingly, the Writ Petition stands dismissed. No costs.
Connected miscellaneous petition is closed.

15.11.2023

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

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M.S.RAMESH,J.

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To

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2.V. Subramanyam,
Inquiry Officer,
Principal Chief Materials Manager (Retd),
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