



WEB COPY



W.P.No.14990 of 2021

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.11.2023

CORAM

THE HONOURABLE Ms.JUSTICE R.N.MANJULA

W.P. No.14990 of 2021

and

W.M.P.Nos.15870 & 15871 of 2021

N.M.Manojdharan

Assistant Engineer (Industries)

(under order of suspension)

District industries Centre

Dharmapuri

... Petitioner

/Vs/

The Industries Commissioner and

Director of Industries Commerce

SIDCO Office Building

Guindy, Chennai 600 032

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari to call for the records of the proceedings of the Respondent issued in Rc.No.10768/EG2/2018-1 dated 15.04.2021 and the order of the Respondent issued in Na.Ka.No.10768/EG2/2018 dated 02.06.2021 and quash the same.

For Petitioner : Mr.R.Singaravelan
Senior Counsel
for Mr.V.Ravikumar



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ORDER

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This Writ Petition has been filed for issuance of Writ of Certiorari to call for the records of the proceedings of the Respondent issued in Rc.No.10768/EG2/2018-1 dated 15.04.2021 and the order of the Respondent issued in Na.Ka.No.10768/EG2/2018 dated 02.06.2021 and quash the same.

2.Heard Mr.R.Singaravelan, learned Senior Counsel appearing on behalf of Mr.V.Ravikumar, learned counsel for the Petitioner.

3.On 19.10.2023, this Court has passed the following order:

“This Court has passed the following order on 20.07.2021:

"Learned counsel for the Petitioner states that on the same set of facts a criminal case is pending and final report was filed on 26.02.020.

2.The grievance of the petitioner is that disciplinary proceedings cannot be allowed simultaneously as there is likelihood of serious prejudice to the Petitioner to face criminal proceedings in case his defense is wholly exposed in the disciplinary proceedings.

3.Learned counsel for the Petitioner also undertakes to file affidavit to the effect that the petitioner will not seek revocation of order of



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suspension and he will cooperate for early disposal of criminal case.

4.Post the matter on 26.07.2021, for filing affidavit."

2.Even today, when the matter is taken up for hearing, the required affidavit has not been filed.

3.Hence, list the matter under the caption "for dismissal" on 02.11.2023."

4.On pursuant to the order dated 20.07.2021, the Petitioner has filed an additional affidavit by stating that he will not insist for reinstatement and that he would cooperate for the early disposal of the criminal case.

5.In such case, the Respondent shall keep the further proceedings in pursuant to the charge memo in Rc.No.10768/EG2/2018-1 dated 15.04.2021 in abeyance.

6.With this direction, this Writ Petition is disposed of. No costs. Consequently, connected Miscellaneous Petitions are closed.

02.11.2023

Index : Yes/No
Neutral citation : Yes/No
Speaking Order/Non-Speaking Order

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To
The Industries Commissioner and
Director of Industries Commerce
SIDCO Office Building
Guindy, Chennai 60 0032



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R.N.MANJULA, J.

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