



W.P.No.18015 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2023

CORAM:

THE HONOURABLE MR. JUSTICE M.S. RAMESH

W.P.No.18015 of 2023
and
W.M.P.Nos.17181 & 17183 of 2023

K.Kannan

...Petitioner

Vs

- 1.The Managing Director,
Tamilnadu State Transport
Corporation (Salem Zone),
No.12, Ramakrishna Salai,
Salem - 636 007.
- 2.The General Manager,
Tamilnadu State Transport
Corporation (Salem Zone),
No.12, Ramakrishna Salai,
Salem - 636 007.
- 3.The Branch Manager,
Johnsonpettai Branch - 1,
Tamilnadu State Transport Corporation,
Jonsonpettai Branch - 1,
Salem District.

...Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for records pertaining to the impugned order i) Parvai. TNSTC/SLM/DS-2903/PMNO51/D2-282/2023 dated 29.03.2023, ii) Ku.No.TNSTC/SLM/DS-2902/PMNO51/D2-282/2023 dated 05.04.2023, issued by the second respondent and quash the same.

For Petitioner : Mr.R.Muruga Bharathi

For R1 & R2 : Mr.K.Raja
Standing Counsel

ORDER

Heard Mr.R.Muruga Bharathi, learned counsel for the petitioner and Mr.K.Raja, learned Standing Counsel for the 1st and 2nd respondents.

2. In view of the order to be passed in this Writ Petition, notice to the third respondent herein is dispensed with.

3. Stating that there was a violation of Bye-law No.19 of the Transport Corporation Bye-laws, the impugned charge memo dated 05.04.2023 has been levelled against the petitioner.



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4. The learned counsel for the petitioner has raised the grounds touching upon the facts of the case to substantiate that the charges cannot be proved against the petitioner.

5. These are not the grounds on which the charge memo can be challenged. This Court, in various decisions, have repeatedly held that the High Court will not exercise its powers under Article 226 of the Constitution of India for interfering with the charge memo, except under very limited exceptions. The grounds raised by the petitioner does not fall under any of the exceptions and therefore, interference to the charge memo may not be warranted.

6. It is needless to point out that it is always open to the petitioner to give his explanation to the charge memo as sought for in the impugned order and participate in the enquiry. Accordingly, the Writ Petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

20.06.2023

Index: Yes/No
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M.S.RAMESH,J.

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To

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