



W.P.No.24501 of 2023

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.08.2023

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.24501 of 2023
and W.M.P. No.23925 of 2023

Mr. E.Saravanan

.... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Head Office, Villupuram – 605 602.

2.The General Manager,
Kancheepuram Zone,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Kancheepuram – 631 552.

3.The Enquiry Officer,
Kancheepuram Zonal Head Office,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Kancheepuram – 631 552.

4.The Branch Manager,
Tiruvallur Bus Depot,
Tamil Nadu State Transport
Corporation (Villupuram) Limited,
Tiruvallur – 602 001.

.... Respondents



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PRAYER: Writ Petition is filed under Article 226 of Constitution of India praying to issue Writ of Certiorarified Mandamus calling for the records relating to the impugned order of the 2nd respondent dated 20.04.2023 bearing Ka. No.2409/Sa5/TaAPoKa (Vilu)/Ka.Ma/2022 and to quash the same and consequently to direct the 1st and 2nd respondents herein to permit the petitioner to have assistance from the President of “Bharatha Arasu Pokuvarathu Kalaka Thozhir Sangam” namely Mr.S.Ravi during the domestic enquiry against the petitioner herein with regard to Charge Memo bearing Ku.No.2409/L5/TaAPoKa (Vilu)/Ka.Ma/2022, dated 20.10.2022.

For Petitioner : Mr. S.R.Karthikeyan
For Respondents : Mr. A.Venkatesa Perumal,
Standing Counsel.

ORDER

This Writ Petition has been filed challenging the order dated 20.04.2023 in Ka. No.2409/Sa5/TaAPoKa (Vilu)/Ka.Ma/2022 passed by the second respondent, thereby rejected the request made by the petitioner to get assistance from the co-worker from other Corporation.

2. Heard the learned counsel appearing for the petitioner as well as the learned Standing Counsel appearing for the respondents and perused the materials available on record.



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3. The petitioner is working as a Conductor in Tamil Nadu State Transport Corporation (Villupuram) Limited from the year 2015. However, he was not provided with any duty for so many reasons. Pursuant to the same, he was served with charge memo and he is facing domestic enquiry. During domestic enquiry, he submitted a request to permit him to have assistance from the co-worker from other Corporation. Admittedly, the said co-worker does not belong to his Union and also he is not a co-worker of the same Corporation, in which the petitioner is now working viz., Tamil Nadu State Transport Corporation.

4. Therefore, this Court finds no infirmity or illegality in the order dated 20.04.2023 in Ka. No.2409/Sa5/TaAPoKa (Vilu)/Ka.Ma/2022 passed by the second respondent. Thus, the writ petition is devoid of merits and is liable to be dismissed. Accordingly, this Writ Petition stands dismissed. However, the second respondent is directed to complete the enquiry, after giving sufficient opportunities to the parties, within a period of eight weeks from the date of receipt of a copy of this



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order. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

21.08.2023

Internet: Yes
Index: Yes/No
Speaking/Non-speaking order
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To

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