



WEB COPY



WP.No.27624 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.09.2023

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR

WP.No.27624 of 2023
and W.M.P.No.27082 of 2023

B.Vimala

.. Petitioner

Versus

The Principal Secretary to Government/
Commissioner of Commercial Taxes
Ezhilagam, Chepauk
Chennai – 600 005

.. Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for records of the proceedings of the respondent under Rule 17 (b) of TNCS (D&A) Rules vide Proceedings No.CD2/3885883/2023 dated 04.02.2023 and consequently quash the same.

For Petitioner : Mr.Muthuchharan
For Respondent : Mrs.K.Vasanthamala
Government Advocate (Taxes)

ORDER

This writ petition has been filed challenging the charge memo dated 04.02.2023 issued by the respondent and quash the same.



WP.No.27624 of 2023

2. It is now settled that charge memo can be challenged when there is jurisdictional issue and the authorities have no jurisdiction to issue such charges or issued with malafide and ulterior motive. On perusal of the entire materials, no materials whatsoever placed to interfere with the charge memo issued dated 04.02.2023. As the charges are with regard to the unauthorised absence for more than 3 months, let the petitioner give explanations and face the enquiry. The records also indicate that enquiry officer is already appointed and he also issued summons on 19.09.2023. Such view of the matter, this Court is not inclined to interfere with the impugned charge memo.

3. Accordingly, this writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

21.09.2023

dhk

Index: Yes/No

Internet: Yes/No

Neutral Citation: Yes/No



WP.No.27624 of 2023

To

WEB COPY

The Principal Secretary to Government/
Commissioner of Commercial Taxes
Ezhilagam, Chepauk
Chennai – 600 005

N.SATHISH KUMAR, J.



WEB COPY



WP.No.27624 of 2023

dhk

WP.No.27624 of 2023

21.09.2023