



W.P(MD)No.10457 of 2023

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.04.2023

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THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN

W.P(MD)No.10457 of 2023

and

W.M.P(MD)No.9284 of 2023

C.John Felix

... Petitioner

Vs

1.The Chief Engineer (Personnel),
Tamil Nadu Generation and Distribution
Corporation Limited,
No.144, Anna Salai,
Chennai – 600 002.

2.The Chief Engineer (Distribution),
Tamil Nadu Generation and Distribution
Corporation Limited,
Thanjavur Region,
Thanjavur – 613 007.

3.The Superintending Engineer,
Tamil Nadu Generation and Distribution
Corporation Limited,
Thanjavur Electricity Distribution Circle,
No.1, Vallam Road,
Thanjavur – 613 007.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records pertaining to the impugned charge memo issued by the second respondent herein in his proceedings in Ku.No.00899/Tha.Po/Distribution/Thanjai/Ni.Pi./Ko.Oo.Na/2023 dated 06.03.2023 and quash the same as illegal and unconstitutional.

For Petitioner : Mr.C.Gangai Amaran

For Respondents : Mrs.M.Parameswari
Standing Counsel

ORDER

Heard the learned counsel on either side.

2. The petitioner challenges the impugned charge memo on the grounds set out in the affidavit filed in support of the writ petition.

3. The first ground urged by the petitioner is that on the same set of facts earlier charge memo was issued and later dropped. My attention has been drawn to the proceedings dated 06.03.2023 enclosed in Page No.58 of the typed set of papers. It is seen therefrom that only without prejudice to the authority of the employer to take disciplinary action, the earlier proceedings were dropped. Therefore, the fact that earlier charge memo was issued and it was given up cannot come in the way of issuing the present charge memo.



W.P(MD)No.10457 of 2023

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4. The learned counsel appearing for the petitioner states that the document sought for by him has not been furnished. I am certain that the enquiry officer will bear in mind the principles of natural justice and that he would furnish all the documents that are relevant for establishing the defence of the delinquent.

5. The other contentions urged by the learned counsel appearing for the petitioner are factual in nature and it cannot be gone into by the writ Court. All the contentions and defenses of the petitioner are left open. This writ petition is dismissed. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

27.04.2023

Index : Yes / No
Internet : Yes / No
NCC : Yes / No
MGA

To

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Tamil Nadu Generation and Distribution
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G.R.SWAMINATHAN, J.

MGA

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