



W.P.(MD).No.4744 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 09.02.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.4744 of 2016

and

W.M.P.(MD).Nos.4283 and 4284 of 2016

- 1.G.Thillainathan
- 2.S.Sivakumar
- 3.A.Uthayuthulla
- 4.T.Chandrasekaran
- 5.S.Murugesan
- 6.P.Neelamegam
- 7.A.Krishnamoorthy
- 8.K.Johnvincent
- 9.S.Raja
- 10.M.Manickam
- 11.N.Krishnamoorthy
- 12.P.Ragavan
- 13.G.Mohanraj
- 14.S.Kandasamy
- 15.S.Sachithanandan



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16.Y.Babusahip

17.T.Ramkrishnan

18.G.R.Prabhakaran

... Petitioners

Vs.

1.The Managing Director,
The Civil Supplies Corporation,
Chennai.

2.The Regional Manager,
The Civil Supplies Corporation,
Trichy Region,
Trichy District.

3.The Deputy Manager (Account),
Office of the Regional Manager,
The Civil Supplies Corporation,
Trichy Region,
Trichy District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned order bearing Na.Ka.No.ME1/8914/15 dated 23.11.2015, passed by the second respondent and quash the same insofar as it relates to the petitioners alone.

For Petitioners : Mr.K.Samidurai

For Respondents : Mr.G.Mohan Kumar



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ORDER

This Writ Petition is filed challenging the impugned order dated 23.11.2015.

2. The contention of the petitioner is that the impugned order passed is a non speaking order, since the authority has simply stated that the explanation submitted by the petitioner is not acceptable. There is no reasoning why it is not acceptable.

3. However, the learned counsel appearing for the respondents submitted that the petitioner has alternative remedy to prefer an appeal before the appellate authority. Without preferring any appeal, the petitioner has straightaway approached this Court.

4. After hearing rival contention, this Court is of the considered opinion that the impugned order is a non-speaking order. Hence, this Court set aside the impugned order and remit back the case to the original authority to pass a speaking order. The respondents are directed to grant opportunity to the petitioner to submit additional explanation. After considering the explanation and additional explanation, the respondents shall pass a speaking order.



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5. In view of the above, this Writ Petition is allowed. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

09.02.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr

To

- 1.The Managing Director,
The Civil Supplies Corporation,
Chennai.
- 2.The Regional Manager,
The Civil Supplies Corporation,
Trichy Region,
Trichy District.
- 3.The Deputy Manager (Account),
Office of the Regional Manager,
The Civil Supplies Corporation,
Trichy Region,
Trichy District.



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S.SRIMATHY, J.

Nsr

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