



W.P(MD)No.30308 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2023

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THE HON'BLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.30308 of 2023

and

W.M.P(MD)No.26107 of 2023

M.Manoharan

... Petitioner

Vs.

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

2.The Superintendent Engineer,
Tamil Nadu Generation &
Distribution Corporation Limited,
(Administrative Section),
Tirunelveli Electricity Distribution Circle,
Tirunelveli-11.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the impugned order in Ku.Aa.No: 013439-1/MePaPo/Thili/NiPi.4/U.1Kho.Vilakkam/2023, dated 29.11.2023 on the file of the Respondent No.2 and quash the same as illegal.



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For Petitioner : Mr.G.Karthik
for M/s.Lajapathi Roy & Associates

For Respondents : Mr.S.Arivalagan
Standing Counsel

ORDER

With the consent of both the learned counsels, this writ petition is taken up for final hearing.

2. The present writ petition has been filed by an Assistant Engineer of TANGEDCO challenging a show cause notice issued by the respondent on 29.11.2023.

3. A perusal of the show cause notice reveals that the respondent authorities have proposed to impose a punishment of stoppage of increment for a period of 3 years without cumulative effect and the petitioner has been directed to furnish his explanation within a period of 7 days.

4. A perusal of the show cause notice will clearly reveal that without issuing a charge memo or conducting an enquiry, the show cause notice with a proposed punishment has been issued to the writ petitioner.



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5. In view of the above said facts, the show cause notice impugned in the writ petition is set aside and the matter is remitted back to the file of the 2nd respondent. The 2nd respondent is at liberty to issue a show cause notice and proceed in accordance with law.

6. With the said liberty, the writ petition stands allowed. No costs. Consequently, connected Miscellaneous Petition is closed.

19.12.2023

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

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To

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R.VIJAYAKUMAR,J.

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Order made in
W.P(MD)No.30308 of 2023

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