



WEB COPY



W.P.No. 5445 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.03.2024

CORAM

THE HONOURABLE MR. JUSTICE G.K.ILANTHIRAIYAN

W.P.No.5445 of 2024

and

W.M.P.No.6014 of 2024

V. Parameswaran

....

Petitioner

Vs

1. The General Manager,
Tamil Nadu State Transport Corporation (Cbe) Limited,
Erode Region, 45, Chenniamalai Road,
Erode – 638 001.

2. The Deputy Manager (Disciplinary Cases),
Tamil Nadu State Transport Corporation (Cbe) Limited,
Erode Region, 45, Chennimalai Road,
Erode – 638 001.

3. The Enquiry Officer,
Enquiry No.D11/432/2023,
Tamil Nadu State Transport Corporation (Cbe) Limited,
Erode Region, 45, Chennimalai Road,
Erode – 638 001.

....

Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the entire records pertaining to the impugned second show cause notice dated 03.02.2024 in Ku.No.1/D11/432/Law/TNSTC/ER/2023 issued by the first respondent, quash the same and consequently direct the first



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respondent to permit the petitioner to continue his job as Conductor in the first respondent Corporation.

For Petitioner : Mr.N.Suganthan

For Respondents : Mr.T.Chandrasekar
Standing Counsel

ORDER

This Writ Petition has been filed challenging the second show cause notice dated 03.02.2024, thereby directed the petitioner to submit explanation for the second show cause notice.

2. Heard the learned counsel appearing on either side and perused the materials available on record.

3. The petitioner was appointed as a Conductor on daily wage basis in the first respondent Corporation. His service was regularised on 23.04.2010. Thereafter, there was a dispute and as such, the petitioner was served with a charge memo, by initiating the disciplinary proceedings, by the first respondent dated 07.07.2023, alleging that the petitioner and others went to the office of the first respondent and sat and laid down in front of the office door of the first respondent and caused nuisance and prohibited other employees from visiting the first respondent. Pursuant to the said charge memo, the petitioner submitted an explanation. Without being satisfied with the explanation submitted



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by the petitioner, an enquiry was ordered and the petitioner attended the enquiry. After completion of the enquiry, the petitioner was served with the present impugned show cause notice for explanation. The only grievance of the petitioner is that the petitioner was not served with enquiry report.

4. In view of the above, the second respondent is directed to serve the enquiry report, along with necessary documents, submitted by the third respondent to the petitioner, forthwith. On receipt of the said enquiry report, the petitioner is directed to submit his explanation within a period of fifteen days from the date of receipt of the enquiry report. Thereafter, the second respondent is directed to pass final orders on merits and in accordance with law within a period of eight weeks, thereafter.

5. With the above direction, this Writ Petition stands disposed of. Consequently, connected miscellaneous petition is closed. No costs.

04.03.2024

Index:Yes/No
Speaking Order: Yes
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G.K.ILANTHIRAIYAN, J.

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