



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2024

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.23992 of 2024
and WMP No.26255 of 2024

A.Aranganathan

... Petitioner

Vs.

1.Tamil Nadu Civil Supplies Corporation,

Rep. by its Managing Director,
Head Office, Koyamedu, Chennai.

2.Tamil Nadu Civil Supplies Corporation,

Rep. by its General Manager Administration, Head Office,
Koyambedu, Chennai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certioraified Mandamus, calling for the records related to the memo in Na.Ka.No.AD6/22638/2022(2) dated 11.5.2024 issued by the 1st respondent and quash the same with a direction to the 1st respondent to furnish the copies of the documents mentioned in Annexure III of the charge memo in Na.Ka. No. AD6/22638/2022(2) dated 11.05.2024.



For Petitioner : Mr.S.Venkatraman

For Respondents : Mr.C.Selvaraj
Additional Government Pleader

ORDER

This writ petition has been filed challenging the impugned memo dated 11.05.2024 issued by the 1st respondent and for a consequential direction to the 1st respondent to furnish the copies of the documents mentioned in Annexure III of the charge memo in Na.Ka. No. AD6/22638/2022(2) dated 11.05.2024.

2.Heard Mr.S.Venkatraman, learned counsel appearing on behalf of the petitioner and Mr.C.Selvaraj, learned Additional Government Pleader appearing on behalf of the respondents.

3.In the considered view of this Court, considering the nature of allegations made, this Court is not inclined to interfere with the disciplinary proceedings. In fact, the disciplinary proceedings itself has been initiated pursuant to the direction issued by this Court in W.P.No.1037 of 2024 by an order dated 19.01.2024.



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4.The main grievance that has been expressed by the learned counsel for the petitioner is that Annexure III to the charge memo specifically mentioned four sets of documents that are going to be relied upon during enquiry. The petitioner made a representation to furnish the copies of those documents in order to effectively defend himself in the enquiry. However, the respondents are denying to furnish copies to the petitioner and the petitioner is asked to take notes from the documents.

5.The learned counsel for the respondents submitted that there are four sets of documents that are relied upon in Annexure III. Insofar S.Nos.2 to 4, a copy can be furnished to the petitioner. However, insofar as S.No.1 is concerned, it consists of 457 pages. Therefore, the entire set of document cannot be given to the petitioner. The learned counsel submitted that the petitioner can go through this document and get ready for the enquiry.

6.In the considered view of this Court, considering the nature of allegations made in this case, the petitioner must be permitted to effectively



defend himself during enquiry. Therefore, it will be more expedient to permit the petitioner to go through the entire document in S.No.1 of Annexure III to the charge memo. On going through the same, whatever pages are found to be important for the petitioner, the petitioner can make note of it and request the respondents to furnish a copy of only those relevant pages. The respondents shall furnish the copy of those relevant pages. Except giving this clarity, there is no scope for this Court to direct the respondents to give the entire set of copy of S.No.1, which runs to nearly 457 pages.

7.The above process shall be completed, within a period of two weeks from the date of receipt of copy of this order. Thereafter, it is left open to the respondents to proceed further with the enquiry and deal with the same on its own merits and in accordance with law.

8.In the result, this writ petition is disposed of with a direction to the respondents to furnish a copy of the documents in S.Nos.2 to 4 of the Annexure III to the charge memo to the petitioner. Insofar as S.No.1 is concerned, the petitioner is permitted to go through the document. Whichever pages are more



relevant and important for the petitioner, the same shall be taken note of and informed to the respondents. The respondents shall give a copy of the same to the petitioner. As stated above, this process shall be completed, within a period of two weeks. No Costs. Consequently, connected miscellaneous petition is closed.

19.08.2024

Internet : Yes
Index : Yes
Speaking Order / Non Speaking Order
ssr

To

- 1.The Managing Director,
Tamil Nadu Civil Supplies Corporation,
Head Office, Koyamedu, Chennai.
- 2.General Manager Administration,
Tamil Nadu Civil Supplies Corporation, Head Office,
Koyambedu, Chennai.



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N. ANAND VENKATESH, J.

ssr

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