



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.12.2024

CORAM

THE HON'BLE MR. JUSTICE S.M. SUBRAMANIAM

AND

THE HON'BLE MR. JUSTICE V. LAKSHMINARAYANAN

W.P. No. 39714 of 2024

&

W.M.P. No. 43011 of 2024

E. Rajkumar

..Petitioner

Vs.

1. The Registrar General,
High Court, Madras.
2. The Additional Registrar General,
Madurai Bench of Madras High Court,
Madurai.

..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Certiorarified Mandamus to call for the records pertaining to the Official Memorandum in ROC No.



13/2023/Con.Estt.II/MB dated 09.12.2024 passed by the 2nd respondent and quash the same and consequently direct the 2nd respondent to supply the copy of the official Memorandum in ROC No. 13/2023/Con.Estt.II/MB dated 10.10.2024 along with its enquiry report to the petitioner.

For Petitioner :: Mr.J. Nagarajan

For Respondents :: Mr. Arjun Suresh

O R D E R

(Made by S.M. SUBRAMANIAM,J.)

The proceedings dated 09.12.2024 issued by the Sub Assistant Registrar (AD-I) i/c, Madurai Bench of Madras High Court rejecting the petitioner's application seeking to supply one more copy of Official Memorandum in ROC No. 13/2023/Con.Estt.II/MB dated 10.10.2024 along with enquiry report to the petitioner is under challenge in this writ petition.

2. Disciplinary proceedings were initiated against the petitioner, who was serving as a Driver in Madurai Bench of Madras High Court. The petitioner is now under suspension. After concluding domestic enquiry, the



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enquiry officer submitted his final report. A copy of the final report was served on the petitioner seeking his further response to the findings of the enquiry officer. The petitioner submitted an application stating that the enquiry report received by him was lost on 30.10.2024 and thereafter, he made an application on 11.11.2024 seeking one more copy of the enquiry report, which was rejected.

3. Learned counsel for the petitioner would submit that in the absence of copy of the enquiry report, the petitioner is not in a position to submit his explanations to the findings of the enquiry officer.

4. The reasons given on behalf of the petitioner need consideration.

5. Accordingly, the impugned order dated 09.12.2024 in Official Memorandum in ROC No. 13/2023/Con.Estt.II/MB dated 10.10.2024 is hereby set aside. The respondents are directed to furnish one more copy of the enquiry report to the petitioner within a period of one week from the



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date of receipt of a copy of this order. Thereafter, the petitioner is directed to

S.M. SUBRAMANIAM,J.

AND

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submit his further explanation, if any, within a period of one week from the date of receipt of a copy of the enquiry report from the respondents. On receipt of further explanation, if any, from the petitioner, the respondents are directed to conclude the disciplinary proceedings and pass final orders within a period of 15 days thereof.

6. With the above directions, the writ petition stands allowed. No costs. Connected miscellaneous petition is closed.

(S.M.S.J.) (V.L.N.J.)
27.12.2024

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To

1. The Registrar General,
High Court, Madras.
2. The Additional Registrar General,
Madurai Bench of Madras High Court,

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Madurai.



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