



WP(MD) No.8338of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.04.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.8338 of 2024

A.Arunkumar

.. Petitioner

Vs.

The General Manager,
Tamil Nadu State Transport Corporation (Kum) Ltd.,
Karaikudi Region,
Maruthupathi, Mangiri,
Karaikudi,
Sivagangai District.

.. Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorari, calling for the records relating to the impugned charge memo in TNSTC/KKD/DS-7065/FAT01/D2-591/2023 dated 09.02.2024, issued by the respondent and quash the same.

For Petitioners : Mr.P.Vijaynivas

For Respondent : Mr.K.Jagadees Balan
Standing Counsel



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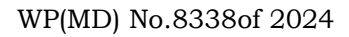
ORDER

The petitioner, who was serving as a driver in the respondent Transport Corporation has challenged the charge memo dated 09.02.2024 issued by the respondent.

2. Heard Mr.P.Vijaynivas, learned counsel appearing for the petitioner, Mr.K.Jagadees Balan, learned Standing Counsel appearing for the respondent.

3. By consent of both parties, this writ petition is taken up for final hearing at the admission stage itself.

4. The petitioner has been given with a charge memo on the allegation that due to the negligence, he caused the accident which resulted in casualty. Mr.P.Vijaynivas, learned counsel for the petitioner submitted that even a criminal case has been registered against the deceased person for having found out the *prima facie* materials of negligence as against him and not against the petitioner. It is further claimed that the charge memo can be issued only after the petitioner



5. Mr.K.Jagadees Balan, learned Standing Counsel appearing for the respondent submitted that the disciplinary action initiated against the petitioner has no relevance to the pending criminal case.

7. Therefore, it is upto the respondent to consider the same and pass appropriate orders by taking into account of the pending criminal case which was registered against the deceased and not against the petitioner and also taking into account the other facts and circumstances, within a period of four weeks from the date of receipt of a copy of this order.



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8. With the above direction, this writ petition is **disposed of**. No Costs.

02.04.2024

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

PJL

To
The General Manager,
Tamil Nadu State Transport Corporation (Kum) Ltd.,
Karaikudi Region,
Maruthupathi, Mangiri,
Karaikudi,
Sivagangai District.



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R.N.MANJULA, J.

PJL

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