



W.P.(MD)No.8444 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.11.2024

**CORAM:
THE HON'BLE MR JUSTICE R.VIJAYAKUMAR**

**W.P.(MD)No.8444 of 2024
and WMP(MD).No.7650 of 2024**

M.Mohanadoss

.... Petitioner

Vs.

1.The Chief Engineer
Thoothukudi Thermal Power Station
Thoothukudi 628 004

2.The Superintending Engineer
TANGEDCO, Purchase and Administration
Thoothukudi Thermal Power Station
Thoothukudi 628 004

3.The Executive Engineer
TANGEDCO, Ash Handling Plant
Thoothukudi Thermal Power Station
Thoothukudi 628 004

4.The Executive Engineer
TANGEDCO, Electrical Maintenance -Division III
Thoothukudi Thermal Power Station
Thoothukudi 628 004



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5.The Executive Engineer
TANGEDCO, Electrical Maintenance -Division II
Thoothukudi Thermal Power Station
Thoothukudi 628 004

6.The Chairman
TANGEDCO, Anna Salai,
Chennai 600 002

7.The Chief Engineer (Personnel)
TANGEDCO,
Anna Salai, Chennai 600 002

.....Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying for a Writ of Certiorari, to call for the records pertaining to the proceedings in Ku.No.013471/156/Mu.Ni.A/Ni.bi3(3)/2023 dated 10.02.2023 on the file of the second respondent and consequential proceedings in Ku.No.Se.Po/Mi.Para-2/Tha.A.Mi.E./Ko/Thani/A.No.001/2024 dated 29.02.2024 on the file of the 5th respondent to quash the same.

For Petitioner : M/s.K.Gandhiammal

For Respondents : Mr.S.Arivalagan
Standing Counsel

ORDER

The instant writ petition has been filed by an Assistant Engineer working in TANGEDCO challenging a charge memo dated 10.02.2023 and the enquiry notice dated 29.02.2024.



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2.A perusal of the records indicate that the petitioner was implicated in a trap case under Prevention of Corruption Act and he was issued with a charge memo on 01.02.2023. Pursuant to the charge memo, an enquiry was conducted and a report was submitted to the disciplinary authority on 03.08.2023. The disciplinary authority, not being satisfied with the report, had proceeded to issue proceedings on 12.09.2023, 05.12.2023 and 23.01.2024 proposing to hold a fresh enquiry. These three proceedings, under which a fresh enquiry was ordered have not been challenged. On 29.02.2024, the enquiry officer has issued a notice of enquiry to the petitioner directing him to appear on 18.03.2024. Only this notice is under challenge.

3.Considering the fact that the petitioner has not chosen to challenge the re-enquiry order passed by the second respondent, the present writ petition challenging the enquiry notice issued by the enquiry officer is not maintainable.

4.In view of the above said facts, the writ petition stands disposed of with liberty to the writ petitioner to challenge the re-enquiry order of the second



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respondent, if he is so advised. No costs. Consequently, connected miscellaneous petition is closed.

19.11.2024

Index : Yes/No
Internet : Yes/No
NCC: : Yes/No
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R.VIJAYAKUMAR, J.

msa

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