



W.P.(MD).No.12511 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 13.06.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.12511 of 2024
and WMP(MD) Nos.11174 to 11176 of 2024

N.Jawahar

... Petitioner

Vs

1. The Managing Director,
Tamil Nadu State Transport Corporation (Tirunelveli) Limited,
Central Office, No.23/2, Thoothukudi Road,
KTC Nagar, Tirunelveli Division,
Tirunelveli.
2. The General Manager,
Tamil Nadu State Transport Corporation,
Tirunelveli Rgion, Vannarpettai,
Tirunelveli.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records in pursuant to the impugned orders passed by the 2nd respondent in his proceedings No.8288/Sa-18/Discipline/TNSTC/2023, dated 17.04.2023 and proceedings No.8788/Sa-18/Discipline/TNSTC/2023, dated 13.06.2023 and quash the same.



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For Petitioner : Mr. M.Saravanakumar

For Respondents : Mr.D.Jebaraj
Standing Counsel

ORDER

Heard Mr.M.Saravanakumar, learned counsel for the petitioner and Mr.D.Jebaraj, learned Standing Counsel, for the respondents.

2.The petitioner, who has filed this writ petition challenging the impugned orders passed by the 2nd respondent in his proceedings No. 8288/Sa-18/Discipline/TNSTC/2023, dated 17.04.2023 and proceedings No. 8788/Sa-18/Discipline/TNSTC/2023, dated 13.06.2023.

3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4. The learned counsel for the petitioner submitted that the petitioner had availed the leave only after producing the authorized medical certificate. But he has given with charges without any basis. The learned counsel further submitted that he has already filed W.P(MD) No.1586 of 2016,



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challenging the transfer order issued to him. That has been disposed of by this Court by giving liberty to the petitioner to submit a representation for re-accommodating him in his original place. So the petitioner has submitted that only in view of that writ proceeding, the petitioner has been issued with the present charge memo out of malice.

5.If the petitioner has properly availed the leave by getting proper permission and leave grant order, nothing would prevent him to place those materials along with the explanation to the second respondent and defend the charges. But the petitioner, without resorting to that course, has rushed to the Court stating that the charges are baseless. Since the matter is in the initial stage, there are certain facts have to be proved in order to get discharged from the charges levelled against the petitioner, he has to submit his explanation in response to the charge memo. On receipt of the explanation, the second respondent is directed to appreciate the materials produced by the petitioner along with his explanation and pass orders on its own merits and in accordance with law.



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6. With the above direction, this writ petition is disposed of. No costs. Consequently connected miscellaneous petitions are closed.

13.06.2024

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

To

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Tamil Nadu State Transport Corporation (Tirunelveli) Limited,
Central Office, No.23/2, Thoothukudi Road,
KTC Nagar, Tirunelveli Division,
Tirunelveli.
2. The General Manager,
Tamil Nadu State Transport Corporation,
Tirunelveli Region, Vannarpettai,
Tirunelveli.



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R.N.MANJULA, J.

PNM

**ORDER IN
W.P.(MD).No.12511 of 2024
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13.06.2024