



W.P.(MD)No.12131 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.12131 of 2024 &
W.M.P.(MD)No.10771 of 2024

Velmurugam

... Petitioner

vs.

The General Manager,
Tamil Nadu State Transport Corporation Ltd.,
Karaikudi Region,
Karaikudi,
Sivagangai District.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondent to provide all enquiry related documents, standing order copies of the respondent's corporation for enquiry proceedings with 24(28)g, 24(27)(h), 24(27)(i), 24(40) standing order copies and consequently allow one of the association member to assist the petitioner for enquiry proceedings in charge memo vide.TNSTC/KKGD/DS-7798/FATO1/D2-74/2024, dated 13.02.2024, based on the petitioner's representation dated 18.05.2024 within a stipulated time that may be fixed by this Court.



W.P.(MD)No.12131 of 2024

For Petitioner : Mr.R.Senthilkumar

For Respondent : Mr.K.Jagadees Balan

ORDER

Heard Mr.R.Senthilkumar, learned counsel appearing for the petitioner and Mr.K.Jagadees Balan, learned counsel appearing for the respondent.

2. The petitioner has filed this writ petition seeking to issue a Writ of Mandamus directing the respondent to provide enquiry related documents and standing order copies of the respondent's corporation under which he is charged with and to allow him to engage one of the association members to assist him in the enquiry proceedings in charge memo vide.TNSTC/KKGD/DS-7798/FATO1/D2-74/2024, dated 13.02.2024, based on his representation dated 18.05.2024

3. It appears that some standing orders have been mentioned in the charge memo and stated that the petitioner has been charged with those standing orders. Being an employee of the respondent Corporation,



W.P.(MD)No.12131 of 2024

the petitioner ought to have known the standing orders under which he is governed. However, he has simply given a representation seeking the standing orders and enquiry proceedings. Admittedly, the enquiry proceedings is still pending. Hence, it is not possible for the authorities to furnish him any copy of the enquiry proceedings.

4. On perusal of the representation given by the petitioner, it seems that the petitioner refers to the standing orders as enquiry proceedings. If the respondent Corporation is going to rely upon any document in the enquiry proceedings, it shall be obligatory on them to furnish a copy of those documents to the petitioner to make his effective defence. Be that as it may, since the petitioner has made a representation to the respondent Corporation in this regard, the same can be treated like an RTI Application to obtain a copy of the standing orders and other particulars.

5. In view of the above, the writ petition is **disposed of** and the respondent Corporation is directed to furnish the required particulars and



W.P.(MD)No.12131 of 2024

WEB COPY

standing orders to the petitioner and pass orders in respect of the petitioner's request to engage one of his Association members to assist him during the enquiry within a period of two weeks from the date of receipt of a copy of this order. It is made clear that the petitioner shall not resort to any act which would dilute the enquiry proceedings and shall co-operate for the early completion of the enquiry proceedings. No costs. Consequently, connected Miscellaneous Petition is closed.

11.06.2024

NCC: Yes/No
Index : Yes/No
Speaking/Non-Speaking order

mbi



WEB COPY



W.P.(MD)No.12131 of 2024

R.N.MANJULA, J.

mbi

W.P.(MD)No.12131 of 2024

11.06.2024