



W.P.(MD).No.13782 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.06.2024

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.13782 of 2024

and

W.M.P.(MD).Nos.12124, 12125 and 12126 of 2024

Gananathan

...Petitioner

Vs

1.The Managing Director,
TASMAC Limited, 4th Floor,
CMDA Tower – II, Egmore,
Chennai – 600 008.

2.The Senior Regional Manager,
TASMAC Limited,
Regional Officer,
Tiruchirappalli.

3.The Deputy Collector-cum-District Manager,
TASMAC Limited,
Thanjavur.

... 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 pertaining to the impugned order dated 18.01.2024 passed by the second respondent in மு.மு.எண்.829 / 2023 (அ3) whereby confirming the order dated 16.02.2023 passed by the third respondent in ந.க.எண்.7857 / A-1 / 2022 and quash the same as illegal.



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W.P.(MD).No.13782 of 2024

For Petitioner : Mr.C.Senthil Murugan

For Respondents : Mr.H.Arumugam
Standing Counsel

ORDER

Heard Mr.C.Senthil Murugan, learned counsel for the petitioner and Mr.H.Arumugam, learned Standing Counsel for the respondents.

2. This Writ Petition has been filed seeking to quash the order of the second respondent dated 18.01.2024, whereby confirming the order dated 16.02.2023 passed by the third respondent.

3. Mr.C.Senthil Murugan, learned counsel for the petitioner submitted that the petitioner has been dismissed from service by the third respondent on 16.02.2023, in view of certain charges framed against him. Challenging the dismissal order, he has filed an appeal before the second respondent and the same was also dismissed on 18.01.2024, confirming the order of the third respondent. The petitioner has been given with 8 charges and he was subjected to the disciplinary proceedings by appointing an enquiry officer. Only in pursuant to the enquiry officer's report, the charges against the petitioner were proved and the punishment order came to be passed.



W.P.(MD).No.13782 of 2024

4. The learned counsel for the petitioner submitted that his explanation given to the charges is not at all considered and hence, the orders are not sustainable. But it is seen from the orders of the appropriate authority and the appellate authority that the orders have been passed only after considering the petitioner's submission. In fact, the petitioner has been given with the opportunity to file a revision petition before the appropriate authority if he is aggrieved. However, the petitioner has not chosen to avail the said opportunity and has straight away filed this Writ Petition.

5. In view of the above observations, this Writ Petition is **disposed of** with a liberty to the petitioner to file a revision petition before the revisional authority along with the petition to condone the delay, if he so advised. The said exercise shall be completed within a period of two weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

27.06.2024

NCC:yes/no
Index:yes/no
Internet:yes/no
Nsr



W.P.(MD).No.13782 of 2024

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W.P.(MD).No.13782 of 2024

R.N.MANJULA, J.

Nsr

W.P.(MD).No.13782 of 2024

27.06.2024