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W.P.(MD).No.20664 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.20664 of 2024

and

W.M.P.(MD) No.17521 of 2024

R.Balamurugan

... Petitioner

Vs.

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

... Respondent

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned charge memo in TNSTC/KKD/DS-8658/MJAO2/D5-197/2024, dated 14.05.2024 issued by the respondent and quash the same.

For Petitioner : Mr.P.Vijaynivas

For Respondent : Mr.K.Ramaiah
Standing Counsel



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ORDER

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The instant writ petition has been filed by a Driver of the respondent Transport Corporation, challenging the charge memo dated 14.05.2024, wherein the charges have been framed as against the writ petitioner for causing damage to the body of the bus by involving the bus in an accident on 11.03.2024.

2. According to the learned counsel appearing for the writ petitioner, an F.I.R was lodged against him in Crime No.47 of 2024, on the file of the Ramanathapuram Town Police Station, Ramanathapuram, on 11.03.2024 for the alleged offence under Sections 279 and 337 of I.P.C. However, after investigation, the said F.I.R was closed as “Mistake of Fact” on 15.03.2024. Since the F.I.R has been closed as “Mistake of Fact”, the petitioner seeks for quashing the charge memo.

3. The charge Memo relates to the damage caused to the body of the bus. According to the petitioner, the body of the bus has not been damaged but the Management contends that the body of the bus has been damaged in the accident. Therefore, it is a factual dispute to be decided during enquiry.



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4. In such circumstances, this Court is not inclined to quash the charge memo. If any explanation is submitted by the writ petitioner, the same shall be considered by the Management and proceeded in accordance with law.

5. With the above said observations, this Writ Petition stands disposed of. There shall be no order as to costs. Consequently connected Miscellaneous Petition stands closed.

09.09.2024

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

The General Manager,
Tamil Nadu State Transport
Corporation (Kum) Limited,
Karaikudi Region,
Maruthupathi, Managiri,
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R.VIJAYAKUMAR,J.

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