



W.P.No.22387 of 2025

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.06.2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.22387 of 2025
and W.M.P.Nos.25191 and 25192 of 2025

M.Anandan

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Tourism Development Corporation Limited,
Tourism Complex,
Wallajah Road,
Chennai 600 002.

2.The General Manager,
Tamil Nadu Tourism Development Corporation Limited,
Tourism Complex,
Wallajah Road,
Chennai 600 002.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceeding issued by the 1st respondent in No.3077/A2/2022 dated 29.03.2025 and to Quash the same and consequently, directing the respondents to reinstate the Petitioner into service, with all consequential and other attendant benefits, including arrears of salary and other benefits.



WEB COPY



W.P.No.22387 of 2025

For Petitioner

: Mr.G.Sankaran
Senior Counsel
for M/s.S.Nedunchezhiyan

For Respondents

: Mr.M.V.Athi Seshan
for Mr.A.Edwin Prabakar

ORDER

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

2. The instant writ petition has been filed with a prayer for issuing a Certiorarified Mandamus, to call for the records relating to the impugned proceeding issued by the 1st respondent in No.3077/A2/2022 dated 29.03.2025 and to Quash the same and consequently, to direct the respondents to reinstate the petitioner into service, with all consequential and other attendant benefits, including arrears of salary and other benefits.

3. Heard the learned counsel for both sides and perused the materials available on record.



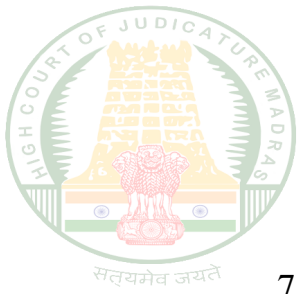
W.P.No.22387 of 2025

WEB COPY

4. The learned Senior Counsel appearing for the petitioner by referring the judgment of the Hon'ble Supreme Court in *Whirlpool Corporation vs. Registrar of Trade Marks, Mumbai and others reported in 1998 (8) SCC 1*, would contend that the filing of writ petition instead of preferring an appeal is well within merits as the respondents did not supply the required document as requested by the petitioner, vide letter dated 10.01.2023.

5. According to the learned Senior Counsel for the petitioner, in pursuance of the Charge Memorandum dated 09.12.2022, after enquiry dismissal from service was ordered on 29.03.2025. However, the entire enquiry proceedings were conducted in force manner by not even supplying the document which sought for by the petitioner, hence, prayed to interfere with the final order.

6. However, the learned counsel for the respondents would submit that there is appeal remedy provided under the statute. Therefore, the present writ petition is not maintainable before this Court.



W.P.No.22387 of 2025

WEB COPY

7. I have given my anxious consideration to the submissions made on either side.

8. As rightly contended by the learned Senior Counsel, mere existence of an appeal remedy is not a bar for filing writ petition. However, it should come within the stipulation made in the *Whirlpool* judgment, where it categorically states that whenever there is a violation of natural justice or if any infringement of fundamental right and when the impugned order was passed by the Incompetent Authority, the Writ Court can very well interfere with the same.

9. Here, according to the learned Senior Counsel, the non-supply of documents, which relied by the prosecution is the main ground urged before this Writ Court. However, while looking at the request made by the petitioner, it was during 16th January, 2023, and thereafter, the petitioner had participated in enquiry and ultimately, the enquiry culminated into a final order, vide order dated 29.03.2025.



W.P.No.22387 of 2025

WEB COPY

10. In view of such factual circumstances, this Court do not find any merits for filing the writ petition as there is alternative remedy of filing an appeal is available. Hence, the present Writ Petition is dismissed. However, the petitioner is given liberty to challenge the impugned order before the Appellate Authority. No costs. Consequently, the connected writ miscellaneous petitions are closed.

24.06.2025

dm

Index : Yes/No

Speaking order

Neutral Citation : Yes/No

To

1.The Managing Director,
Tamil Nadu Tourism Development Corporation Limited,
Tourism Complex,
Wallajah Road,
Chennai 600 002.

2.The General Manager,
Tamil Nadu Tourism Development Corporation Limited,
Tourism Complex,
Wallajah Road,
Chennai 600 002.



WEB COPY



W.P.No.22387 of 2025

C.KUMARAPPAN, J.

dm

W.P.No.22387 of 2025

24.06.2025