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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.04.2013

CORAM:

THE HONOURABLE MR. JUSTICE D. HARIPARANTHAMAN

W.P. (MD) No. 7499 and 7500 of 2013
and
M.P. (MD) Nos. 1, 1, 2 and 2 of 2013

K. Cheranthian	:	Petitioner in W.P. No. 7499/13
J. Ponraj	:	Petitioner in W.P. No. 7500/13

Vs.

The District Manager, TASMAC Limited, SIPCOT Industrial Complex Area, Thoothukudi District, Thoothukudi.	:	Respondents in both petitions
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Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue Writ of Certiorari, calling for the proceeding of the respondent in Na. Ka. No. A2/770/2013 and A2/769/2013 respectively dated 10.04.2013 and quash the same in as illegal insofar as the petitioners are concerned.

For Petitioners	:	Mr. P. Pethu Rajesh
For Respondent	:	Mr. M. Muniyasamy

COMMON ORDER

With the consent of both parties, the writ petition is taken up for final disposal.

2. The impugned orders of termination were passed in violation of principles of natural justice. It is well settled that no order resulting in serious civil consequences would be passed without hearing the aggrieved persons. In this case, the petitioners were terminated making allegations without holding enquiry. Hence, the impugned orders are set aside and the respondent is at liberty to issue charge sheet and hold enquiry and thereafter, to pass final orders. During the pendency of the charges, it is for the disciplinary authority, to decide as to whether the petitioners are to be placed under suspension.



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3.The writ petition is allowed in the above terms. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar

\\True copy\\

Sub Assistant Registrar

To

The District Manager, TASMAL Limited, SIPCOT Industrial Complex Area,
Thoothukudi District, Thoothukudi.

+2CCs to Mr.P.Pethurajesh, Advocate Sr.Nos.25628 and 25629

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NA/ 08/05/2013/P2/4C

Order made in
W.P. (MD) No.7499 and 7500 of 2013
Dated: 30.04.2013