

**Central Administrative Tribunal
Madras Bench**

OA 310/00036/2019

Dated Friday the 11th day of January Two Thousand Nineteen

P R E S E N T

**Hon'ble Mr. P. Madhavan, Member (J)
&
Hon'ble Mr. T. Jacob, Member (A)**

G. Gunasekaran
No. 33A, Raja Street
Thiruvilandur
Mayiladuthurai – 609 001.

.. Applicant

By Advocate **M/s. R. Malaichamy**

Vs.

1. Union of India
Rep. by the Senior Superintendent
RMS “T” Division
Tiruchirappalli – 620 001.
2. Sankar
Inquiry Officer and
Assistant Superintendent RMS
Trichy RMS/2B
Tiruchirappalli – 620 001.
3. Manoj Kumar Yadav
Presenting Officer and
Inspector Posts, T-1 Sub Dn.,
Tiruchirappalli – 620 001.
4. Sub-Record Officer
RMS “T” Division
Mayiladuthurai – 609 003.

5. The Joint Director (Staff)
Directorate of Govt. Exams
Nungambakkam, Chennai 600 006.

6. The Secretary
Board of Secondary Examination
Nungambakkam, Chennai 600 006.

.. Respondents

By Advocate **Mr. Su. Srinivasan**

ORAL ORDER

Pronounced by Hon'ble Mr. P. Madhavan, Member(J)

Heard. The applicant has filed this OA under Section 19 of the Administrative Tribunals Act, 1985 seeking the following reliefs:

“1. To declare the Rule 14 inquiry conducted by the 1st respondent based on the charge sheet dated 10.01.2018 against the applicant as null and void on the reason that the original documents at Sl. No. 9, 10 & 15 shown under Annexure-III of the charge sheet are only xerox copies; and

2. To pass such further or other orders”

2. It is submitted by the counsel for applicant that he was not given required attested copies of documents as mentioned in the representation filed by him at Annexure A3. According to him these documents are absolutely necessary for his defence. CFA would submit that he has submitted representation before the Inquiry Officer seeking attested photocopies of documents and also to inspect the same. But those documents are not furnished by the authorities. It seems that the representation was not given to the Inquiry Officer at the initial stage. It is the Inquiry Officer who is expected to issue the copies of all the relevant documents relied upon by him. Inquiry Officer has not passed any orders on the representation given by the applicant which is marked as Annexure A3. It seems that only a copy of the representation was given to the Inquiry Officer. The applicant will be satisfied if he is given an opportunity to inspect the documents and also be issued with the attested photocopies of the relevant documents.

3. Mr. Su. Srinivasan takes notice for the respondents.
4. In view of the limited relief sought, this OA is disposed of with the following direction without going into merits of the case.

The applicant is permitted to file a fresh representation within a period of two weeks from the date of receipt of copy of this order. On receipt of such representation, respondents are directed to consider the representation of the applicant for inspection of the documents and getting the photocopies within a period of two weeks thereafter.

(T. Jacob)
Member (A)

11.01.2019

(P. Madhavan)
Member(J)

AS