



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.08.2026

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THE HON'BLE MR.JUSTICE KRISHNASWAMY GOVINDARAJAN

W.P.No.26444 of 2016

and

W.M.P.Nos.22665 of 2016 & 4849 of 2017

M.Ramu

..Petitioner(s)

Vs.

1. The Government of Tamil Nadu,
Rep. by its Secretary,
Personnel and Administrative Department,
Fort St. George, Chennai – 600 009.
2. The Tamil Nadu Public Service Commission,
Rep. by its Secretary,
Frazer Bridge Road, V.O.C. Nagar,
Park Town, Chennai – 600 003.

..Respondent(s)

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari, calling for the records of the letter No.4261/PSD-A1/2008 dated 25.11.2014 sent by the 2nd respondent to the 1st respondent and the consequent Letter No.24632/U1/2016-1 dated 11.07.2016 issued by the 1st respondent to the petitioner and quash the same.

For Petitioner(s) : Mr.S.Surya Praskash
for Mr.D.Karthik

For Respondent(s) : Ms.Y.Kavitha,
Additional Government Pleader for R1
: Mr.B.Vijay, Standing Counsel for R2



ORDER

This writ petition has been filed seeking the following relief:-

“calling for the records of the letter No.4261/PSD-A1/2008 dated 25.11.2014 sent by the 2nd respondent to the 1st respondent and the consequent Letter No.24632/U1/2016-1 dated 11.07.2016 issued by the 1st respondent to the petitioner and quash the same.”

2. When the matter was taken up for hearing yesterday, the learned counsel for the petitioner produced a copy of the order of this Court dated 13.06.2018 passed in W.P.Nos.26440 & 26441 of 2016, which were filed seeking to quash the very same impugned orders/letters, and the learned counsel prayed for similar relief to be granted to the petitioner herein.

3. Hence, this Court, on the earlier occasion, i.e., 18.08.2026, directed the learned counsel appearing for the respective respondents to verify whether the issue involved in the present writ petition is identical to that in the aforementioned W.P.Nos. 26440 & 26441 of 2016.

4. Today, when the matter was taken up for hearing, the learned Additional Government Pleader appearing for the 1st respondent submitted that the issues involved in W.P.Nos.26440 & 26441 of 2016 and the present petition



are one and the same and that she has no objection to this Court passing a similar order.

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5. For better appreciation, the relevant portion of the above said order of this Court dated 13.06.2018 made in W.P.Nos.26440 & 26441 of 2016 is extracted hereunder:-

“5. This apart, the learned counsel for the writ petitioners states that the inter se seniority has already been settled. May that it be, the rule provides an opportunity to be given to the employees, who are likely to be affected on account of the alternation of inter se seniority list. All the employees concerned are entitled for an opportunity to submit their explanations/objections in respect of their seniority. In the event of receiving any such explanations/objections, the authorities competent are bound to consider the grounds raised therein and pass appropriate orders on merits and in accordance with law.

6. This Court is of an opinion that no writ can be entertained against a show cause notice unless the notice is issued by the authority having no jurisdiction or competency or an allegation of mala fides are raised or if the same is in violation of the statutory rules in force. Even in case of raising an allegation of mala fides, the authority against whom such an allegation is raised to be impleaded as party respondent in the writ proceedings in his personal capacity. In the absence of any one of the legal grounds, no writ can be entertained.

7. Intermittent intervention in the administrative actions are not certainly preferred in all circumstances. Such interventions can



be made only on exceptional circumstances. Judicial review against the show cause notices are certainly limited. The Constitutional Courts should show some restraint in respect of such interventions. During the process of administrative actions, institutional respects enshrined under the Statutes must be allowed to perform by the Executives concerned. In the event of such interventions then and there frequently, the Executives cannot perform their duties in a coherent manner as the law required. Thus, the Courts must be cautious while exercising the quasi judicial review, when the matters are under adjudication before the competent authorities or before the Quasi Judicial Authorities. Such a judicial review can be exercised only in the event of institutions or if the authorities are incompetent or committed certain illegalities warranting such interventions. In all other circumstances, the authorities competent/quasi judicial authorities are bound to continue the proceedings and they must be allowed to continue the proceedings and take a decision on merits and in accordance with law.

8. This being the legal principles to be followed, while entertaining the writ petitions moved against the show caused notices, this Court is of an opinion that the writ petitioners have not made out any substantial grounds for such interventions. Thus, it is left open to the writ petitioners to submit their explanations/objections and participate in the adjudication. The authorities competent also bound to consider such explanations/objections and take a decision and pass orders on merits and in accordance with law.



6. Since the above decision squarely applies on all force to the case in hand, this Court, without interfering with the orders/letters impugned, directs the petitioner to submit his explanation/objection and participate in the adjudication and the authorities competent shall consider such explanation/objection to be filed by the petitioner, if not already filed and take a decision and pass orders on merits and in accordance with law as expeditiously as possible.

7. With the above directions and observation, this Writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petitions are closed.

19.08.2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

skt

To:

1. The Secretary,
Government of Tamil Nadu,
Personnel and Administrative Department,
Fort St. George, Chennai – 600 009.

2. The Secretary,
Tamil Nadu Public Service Commission,
Frazer Bridge Road, V.O.C. Nagar,



Park Town, Chennai – 600 003.

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KRISHNASWAMY GOVINDARAJAN, J.

skt

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and
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