

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-07-2026

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CORAM

THE HON'BLE MS. JUSTICE P.T. ASHA

WP No. 11433 of 2024

AND

WMP Nos. 12540 and 12542 OF 2024

K.Kanagaraju
Junior Engineer, (removed From Service)
Tiruppur City Municipal Corporation, No 9,
Padmavathi Puram 4th Street Gandhi Nagar
Tiruppur

..Petitioner(s)

Vs

1. The Commissioner
Tiruppur City Municipal Corporation
Tiruppur
2. The Director Of Municipal Administration
No 75 Santhome High Road MRC Nagar,
Raja Annamalaipuram Chennai 600 028
3. The Secretary To Government
Municipal Administration And Water Supply
Department Fort St George Secretariat
Chennai 600 009

..Respondent(s)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorarified Mandamus calling for the



records relating to the impugned order of the 1st Respondent issued in Na.Ka.No 6359 / C1 / 2022 dated 28.11.2023 imposing the penalty of Dismissal from service and quash the same and consequently to direct the 1st Respondent to restore the petitioner to the post of junior Engineer immediately, with all service and monetary benefits within a reasonable period as may be fixed by this Court.

For Petitioner(s): M/s R. Singaravelan,
Senior Counsel for Mr. T.Ranganathan

For Respondent(s): Mr.T. Gowthaman,
Additional Government General
assisted by Mr. Sivalingam,
Government Advocate for R1 to R3.

ORDER

This writ petition has been filed to issue a writ of Certiorarified Mandamus calling for the records relating to the impugned order of the 1st respondent issued in Na.Ka.No.6359/C1/2022 dated 28.11.2023 imposing the penalty of dismissal from service and quash the same and consequently to direct the 1st respondent to restore the petitioner to the post of Junior Engineer immediately, with all service and monetary benefits within a reasonable period as may be fixed by this Court.



2. The petitioner would submit that he was initially appointed as Work Inspector in Tiruppur Municipality in 2006, promoted as Overseer in 2007, and thereafter promoted as Junior Engineer in 2019 after the Municipality was merged with Tiruppur City Municipal Corporation. The petitioner applied for casual leave for 14.10.2022 with permission to avail the holidays on 15.10.2022 and 16.10.2022. Though the leave application was accepted by the Assistant Commissioner, Zone-II, the 1st respondent placed the petitioner under suspension by proceedings in Na.Ka.No.6359/C1/2022 dated 14.10.2022, alleging that the petitioner had gone on leave without permission. The petitioner would contend that the suspension was politically motivated. Subsequently, a charge memo dated 23.11.2022 was issued under the Coimbatore City Municipal Corporation Services (Discipline and Appeal) Rules, 1981. Though an Enquiry Officer was appointed, the petitioner was not supplied with the records required for submitting his defence statement. Thereafter, a series of show cause notices were issued, and despite the petitioner's detailed explanations, the 1st respondent passed the impugned order dated 28.11.2023 imposing the penalty of dismissal from service. Aggrieved by the impugned order, the petitioner has filed the present writ petition.



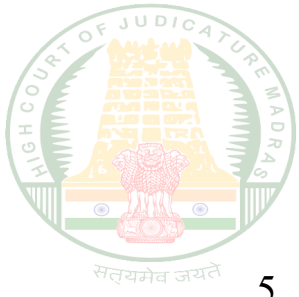
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3. Heard the learned counsel on both sides and perused the materials available on record.

4. After the matter was extensively argued and considering the fact that the petitioner has not been given an opportunity to put forth his case and that interest of justice would be served if the impugned order is set aside, the matter is remitted back to the 1st respondent who shall commence the proceedings once again from the stage of issuance of the charge memo. The respondents shall, within a period of three weeks from the date of receipt of a copy of this order, provide all the documents that they propose to rely upon during the enquiry to the petitioner, and the petitioner shall submit his explanation within a period of three weeks thereafter. Thereafter, the enquiry shall commence, and the same shall be concluded within a period of eight weeks.



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5. With the above directions, this writ petition is disposed of . No costs. Consequently, connected miscellaneous petitions are closed.

16-07-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SRN

To

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