



WP No. 13309 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

RESERVED ON: 18-08-2026

PRONOUNCED ON: 21-08-2026

CORAM

THE HON'BLE Mr.JUSTICE C.KUMARAPPAN

WP Nos. 13309 & 12294 of 2023

AND

WMP NOS. 12129 OF 2023, WMP NO. 13014 OF 2023

V.Chithra
W/o Srinivasan
Assistant Project Officer
Monitoring and Evaluation Tamil Nadu
Corporation for Development of Women
(TNCDW) Mahalir Thittam
Cuddalore.

..Petitioner(s)

Vs

1. The District Collector
Cuddalore District.
2. The Managing Director
Tamil Nadu Evaluation Corporation for
Development of Women (Government of Tamil
Nadu Undertaking) First Floor,
Valluvarkottam High Road
Nungambakkam, Chennai 34.
3. The Director for Rural Development
Panchayat Raj Panagal Building Saidapet
Chennai 15.
4. The Project Director
Tamil Nadu State Rural Livelihood Mission
District Mission Management Unit
Poomedu Vaniga Valagam Opp BSNL office



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Cuddalore Union Office
Cuddalore District.

..Respondent(s)

WP No. 12294 of 2023

S.Kalaiselvi
W/o.Senthil Kumar,
Formerly Block Mission Manager,
Mangaluru, Cuddalore District.

..Petitioner(s)

Vs

1. The District Collector
Cuddalore District.
2. The Managing Director
Tamil Nadu Evaluation Corporation for
Development of Women, (Govt. of Tamil Nadu
Undertaking), First Floor,
Valluvarkottam High Road,
Nungambakkam, Chennai-34.
3. The Director of Rural Development
Panchayat Raj, Panagal Building, Saidapet,
Chennai-15.
4. The Project Director
Tamil Nadu State Rural Livelihood Mission,
District Mission Management Unit,
Poomedu Vaniga Valagam, Opp. BSNL Office,
Cuddalore Union Office, Cuddalore District.

..Respondent(s)

Writ petition filed under Article 226 of the Constitution of India,
praying to issue writ of Certiorarified Mandamus, calling for the records of 1st
respondent in connection with impugned order passed by him in Na.Ka.No.
A1 / 359 / 2022 dated 24.9.2022 quash the same and direct the Respondents



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to reinstate / restore the petitioners into service and grant her all consequential services and monetary benefits

WP No. 12294 of 2023

Writ petition filed under Article 226 of the Constitution of India, praying to issue writ of Certiorarified Mandamus, calling for the records of 1st respondent in connection with impugned order passed by him in Na. Ka. No. A1 / 359 / 2022 dated 24.9.2022, quash the same and direct the respondent to reinstate the petitioner into service and grant her all consequential services and monetary benefits

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For Petitioner(s): Mr.K.Venkataramani
Senior Counsel
for Mr.M.Muthappan

For Respondent(s): Mr.K.K.Ram Siddhartha
AGP For RR1 to 3
Mr.V.Sivalingam,
Govt. Advocate For R4

COMMON ORDER

Against both the petitioners, FIR in Crime No.7 of 2022 was registered on 15.09.2022 under the Prevention of Corruption Act. In furtherance of registration of FIR, a Disciplinary proceedings was initiated against these petitioners and the petitioner in WP.No.12294 of 2023 [S.Kalaiselvi] was terminated from service, whereas, the petitioner in WP.No.13309 of 2023 [V.Chithra] was relieved from service without following the principles of



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natural justice.

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2. Heard Mr.K.Venkataramani, learned Senior Counsel appearing on behalf of the petitioners, Mr.K.K.Ram Siddhartha, learned Additional Government Pleader appearing for the respondents 1 to 3 and Mr.V.Sivalingam, learned Government Advocate appearing for the 4th respondent.

3. The learned Senior Counsel appearing for the petitioners would contend that the entire disciplinary proceedings, which culminated into passing final order of termination as well as relieving was stemmed from the registration of FIR. Whereas, the FIR was ultimately dropped as there are no sufficient material against them to prosecute before the Criminal Court. It is their submission that when the criminal proceedings, which is the foundation for the Disciplinary proceedings goes the consequential disciplinary proceedings of termination and relieving must also go. The learned Senior counsel would further submit that notwithstanding the above fact, since the present impugned order is an order with stigma, the absence of prior notice to the petitioners would vitiate the impugned order. He would also rely upon the judgment of the learned Single Judge made in ***WP.No.25505 of 2009 dated 22.04.2022 [K.Murugan Vs. The Registrar and others]*** wherein in similar



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circumstances, this Court has quashed the final order and gave liberty to the

Disciplinary Authority to proceed against the individual departmentally.

Hence, prayed to allow the writ petitions.

4.*Per contra*, the learned Additional Government Pleader would submit that though criminal proceedings was later on dropped as there was no sufficient evidence, they have got sufficient materials to proceed against them departmentally and such right cannot be curtailed. He would further submit that this being a contractual postings, there is no necessity for issuance of any prior notice and that the impugned order is nothing but an order of discharge simplicitor. Hence, prayed to dismiss these writ petitions.

5.I have given my anxious consideration to either side submissions.

6.While perusing the fact, the impugned orders have been passed based upon the FIR registered against the petitioners in Crime No.7 of 2022. Admittedly, the said FIR was subsequently dropped vide the final report dated 08.03.2023. This factum was not seriously disputed by the learned Additional Government Pleader.

7.From the submissions made by either side, it cannot be denied that the impugned order was only based upon the registration of FIR qua now that the FIR was dropped qua the entire foundation of the impugned orders



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collapsed. Therefore, notwithstanding the other defence, this Court could not

find any grounds to sustain the impugned order.

8. Though the learned Senior Counsel would contend that the returning of money by the Criminal Court would clearly demonstrate the innocence of the petitioners, this Court is not in a position to accept such submissions as the mere returning of the money cannot be construed as vestige of innocence. To vindicate the above finding, it is appropriate to refer the final report dated 08.03.2023, wherein while seeking permission to drop the proceedings, they mentioned that they have already informed to the respondent Authority to proceed against the petitioners departmentally.

9. At this juncture, it is relevant to refer the judgment of the learned Single Judge in WP.No.25505 of 2022 dated 22.04.2022 [cited supra], wherein in a similar circumstances, though this Court has set aside the similar order, has given liberty to the Disciplinary Authority to proceed afresh in accordance with law.

10. In view of the above detailed discussion and upon the fact that the abovementioned reported case is identical to that of the case in hand, this Court is inclined to set aside the respective impugned orders by giving liberty to the respondent to proceed against the petitioners departmentally.



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11. Accordingly, this Court is inclined to dispose of these writ petitions on the following terms.

a. The impugned orders dated 24.09.2022 passed against the petitioners are hereby set aside.

b. The first respondent is entitled to proceed afresh departmentally in accordance with law either by permitting the petitioners to rejoin the duty or placing them under suspension. In view of the efflux of time, the said exercise is to be carried out within a period of three(3) months from the date of receipt of a copy of this order.

c. In view of the nature of allegations in the present case, the petitioners are not awarded any backwages at this stage and the same will be decided only after the outcome of the ultimate decision to be conducted by the first respondent.

12. These writ petitions are disposed of with the above directions. No costs. Consequently, connected WMPs are also closed.

21-08-2026

Index: Yes
Speaking order
Neutral Citation: Yes
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C.KUMARAPPAN J.

KMI

To

1. The District Collector, Cuddalore District.
2. The Managing Director
Tamil Nadu Evaluation Corporation for Development of Women
(Government of Tamil Nadu Undertaking) First Floor,
Valluvarkottam High Road, Nungambakkam, Chennai 34.
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PRE-DELIVERY ORDER IN
WP No. 13309 & 12294 of 2023
AND
WMP NO. 12129 OF 2023,
WMP NO. 13014 OF 2023

21-08-2026