

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-07-2026

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

WP No. 27909 of 2024

AND

WMP Nos 29179 and 30434 OF 2024

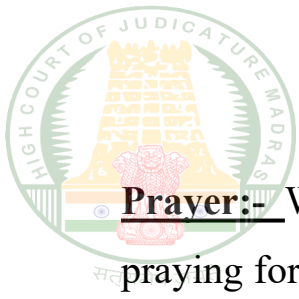
K. Elango
Assistant Director (under Suspension)
Town And Country Planning Department,
Perambalur District
C/o Sivagnanam Min Nagar,
Perambalur 621 212

..Petitioner(s)

Vs

1. The Principal Secretary To Government
Housing And Urban Development (ud2)
Department Government Of Tamil Nadu,
Fort St. George, Chennai 600 009
2. The Commissioner Of Town And Country
Planning
Mount Road, Chennai 600 002
3. The Director Of Town And Country
Planning
Koyambedu, Chennai 600 107
4. B. Ramesh Kumar
Deputy Director Of Town And Country
Planning Dindigul District (enquiry Officer)
5. The Deputy Superintendent Of Police
Vigilance And Anti-corruption, Erode

..Respondent(s)



Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus forbearing respondents 1 to 4 from in any manner proceeding with the departmental enquiry pursuant to the Charge Memo dated 23.2.2024 bearing reference R.C. No 14744 / 2019/K1(1) issued by the 3rd respondent and the G.O. (D) No. 34 dated 19.6.2024 Housing and Urban Development (UD2) Department issued by the 1st respondent, as communicated by the 3rd respondent under communication dated 15.7.2024 bearing reference ENDT RC No 14744 / 2019 /K 1 (1), pending adjudication in the criminal proceedings initiated under F.I.R. No 08 / AC / 2019 lodged with the 5th respondent.

For Petitioner(s): Mr. V.G.Suresh Kumar

For Respondent(s): Mr. L. Gokulraj,
Government Advocate for R1 to
R3 and R5

Order

The writ petition has been filed to forbear respondents 1 to 4 from in any manner proceeding with the departmental enquiry pursuant to the Charge Memo dated 23.2.2024 bearing reference R.C. No 14744 / 2019/K1(1) issued by the 3rd respondent and the G.O. (D) No. 34 dated 19.6.2024 Housing and Urban Development (UD2) Department issued by the 1st respondent, as communicated by the 3rd respondent under communication dated 15.7.2024 bearing reference ENDT RC No 14744 / 2019 /K 1 (1), pending adjudication in



the criminal proceedings initiated under F.I.R. No 08 / AC / 2019 lodged with
the 5th respondent.

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2. When the matter is taken up for hearing, it is brought to the notice of this Court that the very same issue involved in this writ petition has been dealt by this Court in writ appeal in W.A.No.137 of 2026 and an interim order dated 28.01.2026 has been passed by this Court, wherein, it is observed as follows:

a) The departmental enquiry as initiated by the disciplinary authority by appointing a second enquiry officer, who already issued a summon in this regard to commence the enquiry, can proceed.

b) The appellant / writ petitioner shall give full cooperation for the conduction and completion of enquiry.

c) The enquiry shall be completed as early as possible preferably within a period of three months from the date of receipt of a copy of this order.

d) However, the enquiry officer shall keep the enquiry officer's report in a sealed cover and whenever it is called for by this Court, the same shall be produced for further action.



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e) The disciplinary proceedings by way of enquiry as well as this order would no way prejudice the right of the writ petitioner / appellant to take whatever defence he wants to take before the criminal court in the pending trial and it is also not an impediment for the criminal Court to proceed with the trial according to their schedule.

Post this writ appeal for final hearing in the usual course. □

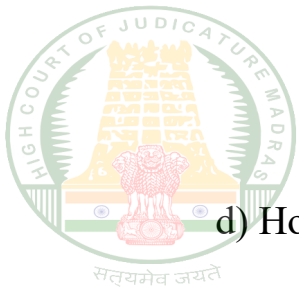
The aforesaid interim order dated 28.01.2026 applies to the case in hand.

3. Accordingly, the writ petition is disposed of with the following directions:

a) The departmental enquiry as initiated by the disciplinary authority by appointing a second enquiry officer, who already issued a charge memo in this regard to commence the enquiry, can proceed;

b) The writ petitioner shall give full cooperation for the completion of enquiry;

c) The enquiry shall be completed as early as possible preferably within a period of three months from the date of receipt of a copy of this order;



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d) However, the enquiry officer shall keep the enquiry officer's report in a sealed cover and whenever it is called for by this Court, the same shall be produced for further action;

e) The disciplinary proceedings by way of enquiry as well as this order would no way prejudice the right of the writ petitioner to take whatever defence he want to take before the criminal court in the pending trial and it is also not an impediment for the criminal Court to proceed with the trial according to their schedule;

f) Connected miscellaneous petition is closed. There shall be no order as to costs;

h) It is needless to state that the writ petition is subject to the result of the writ appeal in W.A.No.137 of 2026.

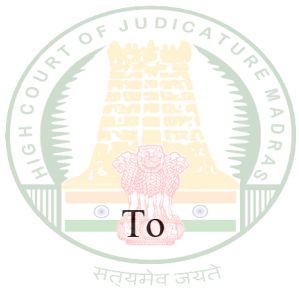
06-07-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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