



W.P.(MD) No.19034 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.19034 of 2026

and

W.M.P.(MD) Nos.14073 & 14075 of 2026

S.Kamaraj

... Petitioner

-vs-

- 1.The Director
Department of Children Welfare
and Special Services
Chennai-08
- 2.The Deputy Director
Department of Children Welfare
and Special Services
Regional Office, Madurai
- 3.The Superintendent
Government of Childrens Home for Boys
Thanjavur District-613 007

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records pertaining to the impugned order in proceedings No:69/A1/2026, on the file of the third



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respondent dated 31.05.2026 in respect of disciplinary proceedings alone and quash the same and direct the respondents to release the petitioner's retirement service benefits accrue with all interest.

For Petitioner : Mr.S.A.Ajmal Khan

For Respondents : Mr.C.Jeganathan
Counsel for the Government of Tamil Nadu

ORDER

Mr.C.Jeganathan, learned counsel for the Government of Tamil Nadu, takes notice for the respondents.

2. With the consent of both sides, this writ petition is disposed of at the admission stage.

3. Heard the learned counsel for the petitioner and the learned counsel for the Government of Tamil Nadu appearing for the respondents.

4. This writ petition has been filed challenging the proceedings No. 69/A1/2026, dated 31.05.2026, issued by the third respondent, whereby the petitioner was allowed to retire from service subject to the outcome of the



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disciplinatory proceedings pending against him and ordering the disciplinary proceedings to continue under Rule 9 of the Tamil Nadu Pension Rules, 1978, insofar as permitting the disciplinary proceedings to continue only.

5. The said disciplinary proceedings have been initiated against the petitioner *vide* charge memo dated 03.03.2026 and in the said disciplinary proceedings, an Enquiry Officer was already appointed on 18.05.2026 and enquiry is yet to be concluded.

6. From the above, it is evident that the disciplinary proceedings are of the recent origin. The only ground, that is urged before this Court for the relief sought in this writ petition, is that on the very same set of charges, a criminal case in C.C.No.77 of 2026, on the file of the learned Judicial Magistrate No.I, Thanjavur, was registered against the petitioner and in the said criminal case, the petitioner was acquitted on 16.03.2026 and therefore, on the very same facts, the disciplinary proceedings cannot be allowed to continue.

7. On the other hand, learned counsel for the Government of Tamil Nadu appearing for the respondents brought to the notice of this Court



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that the petitioner was acquitted in the said criminal case basing upon the compromise, but not on merits and therefore, the respondents are entitled to continue the disciplinary proceedings.

8. It is not in dispute that the petitioner was acquitted in the criminal case basing upon the compromise arrived at between the petitioner and the *de facto* complainant. If that be the case, it cannot be said that the respondents cannot proceed with the disciplinary proceedings on the very same set of facts. In the circumstances, this Court does not find any reason to interfere with the impugned proceedings.

9. However, taking into consideration the submission made by the learned counsel for the Government of Tamil Nadu that the enquiry proceedings that are pending against the petitioner would be concluded within a period of three months, this writ petition is disposed of directing the respondents to conclude the disciplinary proceedings initiated against the petitioner, as expeditiously as possible, at any rate, within a period of three months from the date of receipt of a copy of this order. However, pending the enquiry proceedings, the respondents shall release the provisional pension to the petitioner and also pay the arrears of provisional pension, as expeditiously



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as possible, at any rate, within a period of three weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

07.07.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:

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and Special Services,
Chennai-08.
- 2.The Deputy Director,
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MUMMINENI SUDHEER KUMAR, J.

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