



W.P.No.31033 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.10.2023

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.31033 of 2023

and

W.M.P. No.30681 of 2023

S. Mehallen

... Petitioner

Vs.

1. The State Legal Services Authority,
Represented by its Member Secretary,
Madras High Court Campus,
Chennai – 104.

2. The Chairman,
District Legal Services Authority,
District Court Campus,
Thiruvarur District.

3. The Chairman,
Permanent Lok-Adalat,
District Court Campus,
Thiruvarur.

4. The Disciplinary Authority,
District Court Campus,
Thiruvarur

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records of the charge memo in



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Disciplinary proceedings No.1/2023, dated 11.10.2023 on the file of the 4th respondent and quash the same and consequently to direct the respondents to grant the permission as per my application, dated 28.11.2022 and ratify my foreign trip.

For Petitioner : Mr.K. Muruganantham

ORDER

The petitioner has filed this writ petition challenging the charge memorandum dated 11.10.2023. The charge memorandum can be interfered with in exercise of power under Article 226 of the Constitution of India if only it is issued without jurisdiction or mala fides.

2. The contention of the learned counsel for the petitioner that only the Member Secretary of the State Legal Services Authority can issue a charge memorandum is without any merit as it has been issued by the Disciplinary Authority of the District Court campus. No other infirmities so as to interfere with the impugned order under Article 226 of the Constitution of India are found.

3. The other grounds raised by the petitioner relate to the merits of the charge and the mitigating circumstances, which he can raise in his explanation and the same shall be considered duly in the course of the enquiry.

4. Reserving such right of the petitioner, this writ petition is dismissed.



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5. At this juncture, the learned counsel for the petitioner submits that directions may be issued for conducting the disciplinary enquiry expeditiously.

6. Considering the aforesaid request made by the learned counsel for the petitioner, the Disciplinary Authority shall proceed with the matter and conclude the enquiry as expeditiously as possible, in any event, not later than four months from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

26.10.2023

Index: Yes/No
Internet: Yes/No
Speaking Order/Non-Speaking Order
vsi2/ssa

To
1. The Member Secretary,
The State Legal Services Authority,
Madras High Court Campus,
Chennai – 104.

2. The Chairman,
District Legal Services Authority,
District Court Campus,
Thiruvarur District.



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vsi2

3. The Chairman,
Permanent Lok-Adalat,
District Court Campus,
Thiruvavarur.

4. The Disciplinary Authority,
District Court Campus,
Thiruvavarur.

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