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W.P.No. 22978 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.04.2024

CORAM

**THE HONOURABLE MRS. JUSTICE J.NISHA BANU
AND
THE HONOURABLE MR. JUSTICE P.DHANABAL**

W.P.Nos. 22978, 22982 & 22986 of 2023

and

W.M.P.Nos. 22474, 22478, 22479 & 22482 of 2023

W.P.No.22978 of 2023

I. Hazeena

... Petitioner

Vs.

1. The Principal District Judge and
Disciplinary Authority
Arts College Road
District Court Combined Complex
Coimbatore-641081

2. The Enquiry Officer
1st Additional District and Session Judge
Coimbatore

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relating to the proceedings made in the enquiry report dated 07.10.2021 submitted by the 2nd respondent to the 1st respondent on 25.11.2021, the



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2nd show cause notice in A.No.633/2021-D.No.8471 dated 25.11.2021 and the consequential order made in A.No.633/2021-D.No.4018/2023 dated 19.05.2023 passed by the 1st respondent and quash the same and consequently, reinstate the petitioner with all attendant benefits.

For Petitioner : Mr.G. Ethirajalu

For Respondents : Mr. P.Kannan Kumar for R1 & R2

W.P.No.22982 of 2023

I. Hazeena

... Petitioner

Vs.

1. The Principal District Judge and
Disciplinary Authority
Arts College Road
District Court Combined Complex
Coimbatore-641081

2. The Enquiry Officer
V Additional District Judge
Coimbatore

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relating to the proceedings made in the enquiry report dated 22.11.2021 made in DE.No.1/2021 submitted by the 2nd respondent to the 1st respondent, the 2nd show cause notice in A.No.806/2021 dated



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02.12.2021/D.No.8713 dated 03.12.2021 and the consequential order made in A.No.806/2021-D.No.4019/2023 dated 19.05.2023 passed by the 1st respondent received by the petitioner on 23.05.2023 passed by the 1st respondent and quash the same and consequently, reinstate the petitioner with all attendant benefits.

W.P.No.22986 of 2023

I. Hazeena

... Petitioner

Vs.

1. The Principal District Judge and
Disciplinary Authority
Arts College Road
District Court Combined Complex
Coimbatore-641081

2. The Enquiry Officer
V Additional District Judge
Coimbatore

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relating to the proceedings made in the enquiry report dated 10.06.2022 submitted by the 2nd respondent to the 1st respondent on 25.11.2021, the 2nd show cause notice in A.No.53/2022-D.No.6850/2022 dated 08.08.2022 and the consequential order made in A.No.53/2022-



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D.No.4020/2023 dated 19.05.2023 passed by the 1st respondent received by the petitioner on 23.05.2023 and quash the same and consequently, reinstate the petitioner with all attendant benefits.

For Petitioner
in all the W.Ps. : Mr.G. Ethirajalu

For Respondents
in all the W.Ps. : Mr.P.Kannan Kumar for R1 & R2

COMMON ORDER

(Order of the Court was made by J.Nisha Banu,J.)

These writ petitions have been filed by the petitioner challenging the enquiry reports, show cause notices and the order of dismissal from service and consequently, seeking a direction to reinstate the petitioner into service with all attendant benefits.

2. As per the Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1955, as against the order passed by the Disciplinary Authority, appeal would lie before the Appellate Authority. In the present case, the petitioner has not appealed before the Appellate Authority but had straight away filed the writ petitions challenging the orders passed by the Disciplinary Authority.



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3. Therefore, without going into the merits of the case, these Writ Petitions are dismissed. The petitioner is at liberty to approach the Appellate Authority in accordance with law. If any appeal is preferred by the petitioner, for the purpose of limitation, the period spent in prosecuting the writ petition shall be excluded. No costs. Consequently, connected miscellaneous petitions are closed.

(J.N.B,J.) (P.D.B., J.)

02.04.2024

Index : Yes / No

Internet : Yes/No

Speaking order : Non-speaking order

Neutral Citation :Yes/No

msv/vsi

To

1. The Principal District Judge and
Disciplinary Authority, Arts College Road,
District Court Combined Complex, Coimbatore-641081

2. The Enquiry Officer,
1st Additional District and Session Judge,
Coimbatore



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J. NISHA BANU, J.
and
P.DHANABAL, J.

msv/vsi

**W.P.Nos. 22978, 22982
& 22986 of 2023**

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