



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.09.2024

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P.No.25905 of 2024
and WMP Nos.28271 and 28272 of 2024

S.Ravichandran

... Petitioner

Vs.

1. The Director of Municipal Administration,
No.75, Santhome High Road,
MRC Nagar, Raja Annamalaipuram,
Chennai 600 028

2. The Principal Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Chennai 600 009.

3. The Commissioner,
Rajapalayam Municipality,
Rajapalayam.

4. The Deputy Director
Local Fund Audit,
Kancheepuram Municipality,
Kancheepuram

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for



issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned charge memorandum issued by the 1st Respondent in Roc. No 99/2024/K1-2 dated 27.06.2024 and QUASH the same and consequently direct the 1st respondent to settle all the terminal benefits to the Petitioner without any recovery, within a reasonable period as may be fixed by this Court.

For Petitioner : Mr.T.Ranganathan
For Respondent : Dr.T.Seenivasan
Special Government Pleader

ORDER

This writ petition has been filed challenging the proceedings of the 1st respondent dated 27.06.2024 and for a consequential direction to the 1st respondent to settle all the terminal benefits to the petitioner within the time frame fixed by this Court.

2. Heard Mr.T.Ranganathan, learned counsel for the petitioner and Dr.T.Seenivasan, learned Special Government Pleader appearing for respondents.

3. The case of the petitioner is that he was working as an Assistant in the Rajapalayam Municipality and his date of superannuation fell on 30.06.2024. On 28.06.2024, the 1st respondent issued an order placing the



petitioner under suspension and subsequent order was also issued not permitting the petitioner to retire from service.

4. The 1st respondent also issued the impugned charge memo dated 27.06.2024. This charge memo has been put to challenge in the present writ petition mainly on the ground that the entire charge does not furnish any details and it does not even state the documents that are relied upon and that the charge itself is very vague.

5. This Court has carefully gone through the charge memo. Considering the nature of allegations that has been made in the charge memo, this Court is not inclined to interfere with the same. However, since the action has been initiated under Rule 17(b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1955, the petitioner must be provided with all the documents that are relied upon and he must be given sufficient opportunity to defend himself in the departmental proceedings.

6. In view of the above, it will suffice if a direction is issued to the 1st



respondent to provide all the documents that are relied upon during enquiry and also sufficient opportunity to the petitioner to participate in the proceedings.

Considering the fact that the petitioner is aged about 61 years, there shall be a direction to the 1st respondent to complete the entire departmental proceedings and pass final orders within a period of three months from the date of receipt of a copy of this order.

7. This writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petitions are closed.

06.09.2024

Index : Yes/No
Internet : Yes /No
Speaking Order / Non Speaking Order
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N. ANAND VENKATESH, J.

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To



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