



WEB COPY



W.P.No.281 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2025

CORAM:

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.281 of 2024

and

WMP.No.349 of 2024

A.Valarmathi

... Petitioner

Vs.

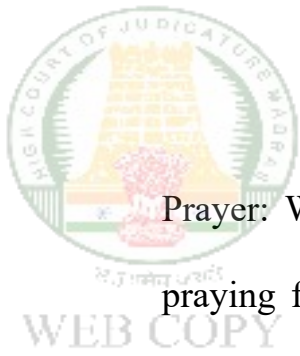
1.The State of Tamil Nadu
rep. by its Additional Chief Secretary to Government,
Labour Welfare and Skill Development Department,
Secretariat, Fort St. George,
Chennai-600 009.

2.The Commissioner of Labour,
DMS Compound, Teynampet,
Chennai-600 006.

3.The Joint Commissioner of Labour/Enquiry Officer,
O/o.Director/Joint Commissioner of Labour,
Tamil Nadu Construction Corporation,
Thaiyur-603 103.

Presently
The Secretary/Enquiry Officer,
Tamil Nadu Domestic Worker Welfare Board,
II Floor, IOA Complex,
Royapettah, Chennai-600 014.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to defer the enquiry proceedings based on the charge memo issued by the second respondent in F1/17728/2020-1 dated 31.01.2023 till the conclusion of the criminal case in FIR No.06/AC/2020/CC-II dated 08.06.2020 and Charge Sheet No.05/2022 dated 23.12.2022.

For Petitioner : Mr.G.Sankaran, Sr. Counsel
for Mr.S.Nedunchezhiyan

For Respondents : Mr.T.M.Rajangam, GA

ORDER

The present Writ Petition has been filed seeking a direction to the respondents to defer the enquiry proceedings based on the charge memo issued by the second respondent in F1/17728/2020-1 dated 31.01.2023 till the conclusion of the criminal case in FIR No.06/AC/2020/CC-II dated 08.06.2020 and Charge Sheet No.05/2022 dated 23.12.2022.

2. Heard both sides.

3. The brief facts of the case is as follows:

3.1. The petitioner was initially appointed as Assistant Inspector of



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Labour through Tamil Nadu Public Service Commission in the year 2002 and thereafter promoted as Deputy Inspector of Labour and Assistant Commissioner of Labour (ACL) in the year 2011 and 2012 respectively. On 28.09.2017, she was transferred to Thiruvallur and presently working as ACL (SSS) at Thiruvannamalai District. Due to the vengeance of one of her sub-ordinate, a complaint was given by a third party against the petitioner which has been refuted by her by way of a representation to the second respondent. However, a criminal case was lodged against the petitioner along with three others by DVAC under Sections 7(b) and 12 of the Prevention of Corruption (Amendment) Act, 2018 in FIR No.06/AC/2020 dated 08.06.2020 and charge sheet was also laid down in charge sheet No.5 of 2022 dated 23.05.2022. While that being so, the second respondent issued departmental proceedings against the petitioner vide Charge Memo dated 31.01.2023 for the same set of charges i.e., illegal gratification, which was followed by appointment of an Enquiry Officer vide proceedings dated 06.06.2023 and proceeded with the enquiry. Since the case is pending trial, the petitioner has approached this Court by way of the present Petition for the aforesaid relief.



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4. The learned Senior counsel appearing for the petitioner submitted that during the pendency of the Writ Petition, the petitioner was discharged from the criminal case by this Court through a common order passed in CrI.R.C.Nos.574 & 751 of 2024 dated 06.12.2024, by setting aside the order passed by the learned Special Judge cum Chief Judicial Magistrate, Thiruvallur. in CrI.M.P.No.1859 of 2024 in Spl.C.C.No.4 of 2022 dated 18.08.2023. He further submitted that since the petitioner has been discharged from the charges by this Court as stated supra, the departmental enquiry which was initiated for the same set of charges as against the petitioner shall be closed.

5. Considering the facts and circumstances of the case and taking note of the submissions made by the learned Senior counsel for the petitioner, this Court grants liberty to the petitioner to make a representation to the concerned respondent requesting to conclude the departmental proceedings/enquiry as she was discharged from the charges by this Court vide order in CrI.R.C.Nos.574 & 751 of 2024 dated 06.12.2024, within a period of two weeks from the date of receipt of a copy of this order. On receipt of such representation, the respondent concerned shall consider the same and pass appropriate orders in accordance with law, within a period of four weeks from the date of receipt of the said representation.



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6. With the above directions, the Writ Petition stands disposed of.

Consequently, connected Miscellaneous Petition is closed. There shall be no orders as to costs.

08.12.2025

Index: Yes/No

NCC : Yes/No

Order : Speaking/Non Speaking

DP

To

1.The Additional Chief Secretary to Government,
State of Tamil Nadu
Labour Welfare and Skill Development Department,
Secretariat, Fort St. George,
Chennai-600 009.

2.The Commissioner of Labour,
DMS Compound, Teynampet,
Chennai-600 006.

3.The Joint Commissioner of Labour/Enquiry Officer,
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M.DHANDAPANI.J,

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