



W.P.No.14305 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.14305 of 2025

and

WMP.Nos. 16104, 16105 & 33904 of 2025

J.Rajesh

... Petitioner

Vs.

The Disciplinary Authority /
The Assistant General Manager,
HRM Section (DA Cell),
524, Anna Salai, Teynampet,
Chennai- 600018.

....Respondent

PRAYER : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus, to call for the records pertaining to the suspension order dated 07.02.2025 vide proceedings in Ref; CNC HRMS DA 245 2025 and the consequent charge sheet vide REF.No; CNC DAC 393 E-37 CSO-12/2025 dated 21.02.2025 issued by the respondent, quash the same.

For Petitioner : Mr.D.Geetha

For Respondent : Mr.P.R.Raman, Senior Counsel for
Mr.Anupam Raghuram



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ORDER

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This Writ Petition has been filed challenging the suspension order and the consequent charge sheet dated 21.02.2025 issued by the respondent.

2. The learned counsel appearing for the petitioner submitted that the petitioner is an Ex-Serviceman with physical disabilities caused during his Military Service. The Petitioner has 40 percentages Locomotor Disability. The Petitioner joined the services of the Respondent Bank on 11.09.2017, as Probationary Officer and served in many Branches, including Mangalur, MSME Sulabh Puducherry and now at SME Puducherry Branch. The Petitioner has an unblemished service record except for the Charges and the consequent punishments. The Petitioner is a member of the majority union of the Respondent Bank, namely Canara Bank Officers Association - CBOA for short. The Petitioner have undergone multiple transfers in quick successions and he has been promoted as Scale 2 Officer and the Petitioner presently employed at Canara Bank, SME Puducherry, after having highlighted corrupt practices in Petitioner's previous Office.



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3. The learned counsel for the petitioner would submit that while the Petitioner was working as Manager in the Mangalur Branch, the Petitioner had applied for leave for the period starting from 31.01.2022 till 11.02.2022 on 04.01.2022. It was during Petitioner's tenure as Manager in the Mangalur Branch that Petitioner had highlighted various corrupt and illegal practices amounting to more than Rs. 1,00,00,000/- (Rupees One Crores/- only) followed by then Managers as well as other staff there, for which a biased Inquiry was conducted and the same is followed up with the Competent Authority. Subsequently, based on Pettioner's RTI related message postings in a closed WhatsApp Group meant exclusively for the officials of Canara Bank, the petitioner was suspended and based on E-mails, related to violation of RBI Guidelines and other malpractices that were sent by Petitioner to the higher officials and the Petitioner was charge-sheeted for the same. After completion of the Enquiry Proceedings, the Petitioner was issued with a punishment of reduction to a lower stage in time scale of pay by two stages for a period of two years with cumulative effect. The petitioner's Appeal against the said penalty was also dismissed by the Appellate Authority, confirming the above order of the Disciplinary



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Authority. Challenging the same, the Petitioner have preferred a Writ

Petition challenging the said Orders in [W.P.No.](#) 38532 of 2024 before this Court and the same is pending for consideration. In the mean-while, the Respondent issued another impugned order of suspension to petitioner, dated 07.02.2025, on the allegation that the petitioner tampered the records having not attending the duty as if created a record that he attended the duty for the leave period and for the said charges, the petitioner was placed under suspension. Challenging the same, the petitioner filed a writ petition challenging the order of suspension dated 07.02.2025 and subsequent charge sheet dated 21.02.2025.

4. The learned counsel for the petitioner further submitted admittedly, the petitioner while he was employed in the Mangalur Branch as a Branch Manager, he made application for application for leave from 31.01.2022 to 11.02.2022 however, it is alleged as if the petitioner create a record on the particular date that he attended the duty, for which, he was placed under suspension on 07.02.2025 and thereafter, charge memo was issued for the same allegation on 21.02.2025. He would submit that now, the respondent



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Bank filed a counter affidavit stating that there are 15 employees made allegation as against the petitioner on 07.02.2025, for the said allegation he was placed under suspension is misconceived which is not acceptable one. Even, on perusal of the suspension order and subsequent charge memo clearly reveal that for tampering the record for the leave period, the suspension order was passed. However, for the allegation, there is no need for suspending the petitioner even their own record reveal that for cancelling the leave, Superior Officer allowed the petitioner to work from home. Such a record clearly proved that the charge sheet dated 21.02.2025 itself is misconceived and there is no tamper of record on the side of the petitioner, since the leave itself approved by the respondent and allowed the petitioner to work from home thereby, there is no need for tampering the record however, for the said charges, placed the petitioner under suspension is not acceptable. Accordingly, he prayed for appropriate orders.

5. Per contra, learned Senior Counsel appearing for the respondent submitted that prior to suspension order and charge memo there are several punishment imposed as against the petitioner. Some of the cases are pending



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before this Court and some of the cases are pending before the Appellate Authority. However, the present suspension order was not related to charge sheet dated 21.02.2025, it is related to complaint made by the co-staff as against the petitioner on 07.02.2025 and on the basis of the complaint made by the co-staff, the present suspension order was passed and subsequently, another charge was came into light before 21.02.2025 thereby, another charge memo was issued on 21.02.2025. However, with regard to the allegation made by the staff as against the petitioner, no charge memo was issued to the petitioner on the ground, the interim order was granted by this Court for staying further proceeding pursuant to the suspension order thereby, the separate charge sheet was issued to the petitioner with regard to the complaint made by the co-staff as against the petitioner. However, admittedly, the petitioner is not reinstated pursuant to the interim order granted by this Court. Since interim order granted only for staying the further proceeding not in respect of the suspension order. However, the disciplinary proceedings will be concluded within the time as fixed by this Court.



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6. Heard the learned counsel appearing for the petitioner as well as the respondent.

7. The facts of the present case is not in dispute. Admittedly, the petitioner is an employee of the respondent Bank and while he was working as a Manager in the Mangalur Branch, allegation made against the petitioner as if the he has tampered the attendance register thereby, he was issued a charge memo on 21.02.2025. Though the petitioner claim for the very same charges, the petitioner was placed under suspension on 07.02.2025 whereas the respondent Bank claim, the suspension order not relates to the charge memo dated 21.02.2025 and the suspension order dated 07.02.2025 was passed on the basis of the complaint made by the co-staffs on 07.02.2025.

8. Admittedly, as on date, no charge memo was issued as against the petitioner in respect of the complaint made by the victim co-staff. However, the charge memo issued on 21.09.2025 after this Court clarified the order dated 25.08.2025, the second charge memo was issued as against the petitioner on 11.09.2025. The charge memo issued on 11.09.2025 was not



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challenged before this Court, the charge memo which was challenged is only dated 21.02.2025. Though there was a conclusion with regard to the suspension order, whether the suspension order was passed in respect of the charge memo dated 21.02.2025 or 11.09.2025 however, while entertaining the writ petition granted interim order for staying of further proceedings in respect of suspension order dated 07.02.2025

9. However, this Court and the Hon'ble Supreme Court has categorically held that the charge memo cannot be interfered with at the threshold however, in the present case, the charge as against the petitioner is with regard to the tampering of attendance register. Whether the petitioner has tampered the attendance register is a matter of enquiry and the same cannot be decided under Article 226 and in respect of the suspension order, it is seen that pending charge, the suspension order was passed. Whether the suspension order was passed in respect of the charge memo dated 21.02.2025 or 11.09.2025, has to be decided only by the competent authority, not by this Court under Article 226.



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10. In view of the above discussion, without interfering with the order impugned, there will be a direction to the respondent to conclude the enquiry in respect of the charge memo dated 21.02.2025 and 11.09.2025 within a period of twelve weeks from the date of receipt of a copy of this order. The petitioner is also directed to co-operate with the enquiry. After conclusion of the disciplinary proceedings, the respondent is directed to re-visit the suspension order in the manner known to law. The respondent is also directed to pay the subsistence allowance and other allowances to the petitioner, during the suspension period.

11. With the above directions, this Writ Petition is disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

16.12.2025

NCC: Yes / No
Index : Yes / No
Speaking Order : Yes / No
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M.DHANDAPANI, J.

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To

The Disciplinary Authority /
The Assistant General Manager,
HRM Section (DA Cell),
524, Anna Salai, Teynampet,
Chennai- 600018.

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