



W.P.No.40978 of 2016

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.04.2025

CORAM :

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.No.40978 of 2016

and

W.M.P.Nos.38026, 38028 and 34971 of 2016

and

W.M.P.Nos.1459, 1460, 1461 and 1462 of 2017

A.Ganesan,
S/o.Appu Paiyan

... Petitioner

Vs.

1.Government of Tamil Nadu,
Represented by the Principal Secretary to Government,
Labour and Employment (E2) Department,
Fort St. George,
Secretariat, Chennai – 600 009.

2.The Chief Inspector of Factories,
Chepauk, Chennai – 600 005.

3.The Accountant General (A&E),
DMS Complex,
Teynampet, Chennai – 600 018.

4.The Pay and Accounts Officer (South),
Chennai – 600 035.

5.R.Kaliannan,
Senior Additional Director,
Office of the Director of Industrial Health
and Safety,
Royapettah, Chennai – 600 014.

... Respondents



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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 G.O (2D) No.36, Labour and Employment (E2) Department dated 20.07.2010 issued by the 1st respondent herein namely the Government of Tamil Nadu represented by the Principal Secretary to Government, Labour and Employment (E2) Department, Fort St. George, Secretariat, Chennai – 600 009 and Letter No.29666/2011-7 dated 02.01.2012 quash the G.O dated 20.07.2010 and consequently direct the 1st respondent herein namely the Government of Tamil Nadu represented by the Principal Secretary to Government, Labour and Employment (E2) Department, Fort St. George, Secretariat, Chennai – 600 009, to reinstate the petitioner into service with effect from 09.07.2010 with attendant, service and monetary benefits and to include the name of the petitioner Thiru A.Ganesan as Sl.2a in G.O (2D) No.1, Labour and Employment (E2) Department dated 02.01.2012 and promote him as Joint Chief Inspector of Factories (Additional Director of Industrial Safety and Health) and Senior Additional Director from the date on which he became as such on or before 30.11.2016, and pay the arrears arising out of such promotions on or before 30.11.2016 being the date of superannuation of the petitioner.

For Petitioner : Mr.K.S.Govinda Prasad

For Respondents :

For R1 and R2 : Mr.R.U.Dinesh Rajkumar
Additional Government Pleader



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ORDER

The Petitioner was aged about 57 years at the time when the present Writ Petition was filed.

2. In this Writ Petition, the Petitioner has challenged the Impugned Suspension Order dated 02.01.2012 passed by the then Principal Secretary to Government.

3. Counter Affidavit dated 28.02.2018 filed on behalf of the 1st to 3rd Respondents indicates that a Charge Memo was issued to the Petitioner on 26.12.2016.

4. Copy of the Charge Memo has also been handed over to the learned counsel for the Petitioner. It is not clear as to the status of the disciplinary proceedings pursuant to the aforesaid Charge Memo dated 26.12.2016. Whichever way one looks at it, the present Writ Petition would have to be closed in view of the Charge Memo dated 26.12.2016 and the subsequent disciplinary proceedings.

5. Therefore, this Writ Petition is closed with liberty to the Petitioner to



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workout the remedy in the manner known to law as against the Charge Memo dated 26.12.2016 or the disciplinary proceedings initiated / punishment order that may have been proceeded against the Petitioner. No costs. Connected Writ Miscellaneous Petitions are also closed.

24.04.2025

Neutral Citation : Yes / No

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To:

- 1.The Principal Secretary,
Government of Tamil Nadu,
Labour and Employment (E2) Department,
Fort St. George,
Secretariat, Chennai – 600 009.
- 2.The Chief Inspector of Factories,
Chepauk, Chennai – 600 005.
- 3.The Accountant General (A&E),
DMS Complex,
Teynampet, Chennai – 600 018.



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4.The Pay and Accounts Officer (South),
Chennai – 600 035.

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C.SARAVANAN, J.



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