



WEB COPY



W.P.No.17950 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 19/3/2025

C O R A M

The Hon'ble **Ms.JUSTICE V.BHAVANI SUBBAROYAN**

Writ Petition No.17950 of 2020

a n d

W.M.P.No.22260 of 2020

T. Thirumurthy

...

Petitioner

Vs

1. Union of India
rep. By The General Manager
Southern Railway
Chennai 600 003.
2. The Principal Chief Security Commissioner
R.P.F.Southern Railway
Moor Market Complex, 6th Floor
Park Town
Chennai 600 003.
3. The Senior Divisional Security Commissioner
M.A.S Southern Railway
D.R.M.Complex, 5th Floor
Park Town
Chennai 600 003.



W.P.No.17950 of 2020

4. The Post Commander/RPF/GRD
Southern Railway
Railway Protection Force
Gummidipoondi
Chennai 601 201.

...

Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorari to call for the concerned records relating to the Charge Memo No.M/XP/227/9/2020 dated 28/11/2020 passed by the third respondent and quash the same.

For petitioner ... Mr.M.Gnanasekar

For respondents ... Mr.P.T.Ramkumar
Standing Counsel

ORDER

This writ petition has been filed to quash the order dated 28/11/2020 passed by the third respondent in Charge Memo No.M/XP/227/9/2020.

2. Heard Mr.M.Gnanasekar, learned counsel for the petitioner and Mr.P.T.Ramkumar, learned Standing Counsel for the respondents.



W.P.No.17950 of 2020

WEB COPY

3. The learned Standing Counsel appearing for the respondents would submit that after considering the provisions of Master Circular issued by Railway Board, regarding VRS Scheme and disciplinary action for major penalty initiated against the petitioner, vide Charge Memorandum dated 28/11/2020 for offence involving moral turpitude, request submitted by the petitioner for Voluntary retirement from service was not accepted by the competent authority.

4. Perused the materials available on record.

5. Considering the fact that the petitioner is about to attain superannuation on 31/3/2025, this Court direct the respondents to complete the enquiry before May 2025. The respondents are further directed to appoint same Enquiry Officer for the disciplinary proceedings initiated pursuant to Charge Memorandum dated 28/11/2020 and 3/11/2021. It is made clear that eventhough the petitioner is entitled for disbursement of terminal benefits, the same shall be decided depending on the outcome of the enquiry proceedings. The petitioner is hereby directed to co-operate



W.P.No.17950 of 2020

with the enquiry proceedings.

WEB COPY

6. With the above direction, this writ petition is disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

19/3/2025

mvs.

Index: Yes/No

Neutral Citation: Yes/No



W.P.No.17950 of 2020

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WEB COPY

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WEB COPY



W.P.No.17950 of 2020

V.BHAVANI SUBBAROYAN,J

mvs.

W.P.No.17950 of 2020

19/3/2025