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W.P.No.25190 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2025

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THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

W.P.No.25190 of 2025

And

W.M.P.Nos.28353, 28358 and 28359 of 2025

R.Kalaiselvi

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
Health and Family Welfare Department,
Secretariat, Fort St.George,
Chennai – 600 009.

2.The Director of Drugs Control,
DMS Compound,
Anna Salai, Teynampet,
Chennai – 600 006.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned charge memo issued by the first respondent in Letter No.25536/I-2/2019-12 Health and Family Welfare (I-2) Department dated 18.05.2022 and to quash the same and consequently directing the respondents to promote the petitioner to the post of Senior Drug Inspector based on 2024-25 panel on par with junior.



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For Petitioner : Mr.G.Sankaran
Senior Counsel
for M/s.S.Nedunchezhiyan

For Respondents : Mr.K.Tippu Sultan
Government Advocate

ORDER

Mr.K.Tippu Sultan, learned Government Advocate takes notice on behalf of the respondents. By consent, the writ petition is taken up for final disposal at the admission stage itself.

2.The instant writ petition has been filed challenging the charge memorandum dated 18.05.2022.

3.The learned Senior Counsel appearing for the petitioner would submit that for the alleged incident which happened between 2010 – 2015, after a lapse of seven years, they came up with false charge memorandum and even after having received explanation from the petitioner on 09.06.2022, the respondent has not proceeded with disciplinary proceedings. Hence, on account of the delay, though the petitioner is entitled for quashing of charge memorandum, now the petitioner seeks prayer to consider the petitioner's representation dated 12.03.2025. The learned Senior Counsel would further submit



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that in view of the pendency of the disciplinary proceedings, promotion prospects is also getting delayed.

4.At this juncture, the learned Government Advocate would submit that according to the position note given by the Director of Drugs Control (i/c), it is for the Government to appoint Enquiry Officer and the respondents would move with the Government for appointment of Enquiry Officer and seeks reasonable time to conclude the disciplinary proceedings.

5.In such view of the position, this Court, without going into the merits of the matter, deems it appropriate to direct the respondents to conclude the disciplinary proceedings which has been initiated against the petitioner in pursuance of the charge memorandum dated 18.05.2022, within a period of four months from the date of receipt of a copy of this order, upon its own merits and in accordance with law. If there is any delay on the part of the respondents, the respondents are directed to consider the petitioner for promotion in accordance with law as the charge is in respect of the occurrence which took place in the year 2010.



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6.The writ petition is disposed of. No costs. Consequently,
connected miscellaneous petitions are closed.

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

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Chennai – 600 009.

2.The Director of Drugs Control,
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