



WEB COPY

WP No. 28524 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31-07-2025

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

WP No. 28524 of 2025

1. R.Seenu
S/o.M.Ramachandran, No.7720,
Tnhb Ayyapakkam, Chennai- 77.

Petitioner(s)

Vs

1. The Chairman And Managing
Director
TANGEDCO,
No.144, Anna Salai,
Chennai- 2.

Respondent(s)

PRAYER

Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondent to complete and pass final orders in the departmental enquiry initiated against the petitioner vide charge memo dated 06.06.2024 and pass final orders within a period of 6 weeks in the light of the Board Proceedings dated 13.04.1987.

For Petitioner(s): M/s. V.Vijayashankar

For Respondent(s): Mr.K.Rajkumar,
S.C., For Sole Respondent

**ORDER**

This writ petition has been filed to direct the respondent to complete and pass final orders in the departmental enquiry initiated against the petitioner vide charge memo dated 06.06.2024 and pass final orders within a period of 6 weeks in the light of the Board Proceedings dated 13.04.1987.

2. Heard Mr.V.Vijayashankar, learned counsel for the petitioner and Mr.K.Rajkumar, learned Standing Counsel appearing for the respondent.

3.The learned counsel for the petitioner would submit that as against the petitioner, a charge memorandum was issued on 19.06.2024 and thereafter, an Enquiry Officer was appointed on 26.12.2024 and that the petitioner has also participated in the enquiry. The learned counsel for the petitioner would invite the attention of this Court about the Board Proceedings of the respondent in B.P.Ms.No.1485 dated 05.10.1978, wherein the time schedule has been given to conduct examination and dispose of the disciplinary proceedings, through which the learned counsel for the Petitioner would submit that even in respect of any DVAC and Vigilance case, there is only 90 days maximum provided to the Department to complete the disciplinary proceedings. The learned counsel would submit that though the charge memorandum was issued on 19.06.2024, for the past more than one year, no final order has been passed, though the Board proceedings provide only 90 days. It is the



further submission of the learned counsel is that the petitioner's name has been included in the promotion panel. Therefore, the disciplinary proceedings has to be concluded within a period of six weeks.

4. The aforesaid contention was stoutly objected by the learned Standing Counsel appearing for the respondent and would submit that since the case involves Vigilance and Anti corruption, they need to secure the documents from the DVAC Department and therefore, they need twelve weeks time.

5. I have given my anxious consideration to either side submissions.

6. As rightly contended by the learned counsel for the petitioner, when a statute provides certain time limit, it is the duty on the part of the Disciplinary Authority to follow as the pendency of the disciplinary proceedings is affecting the very fundamental right for considering the employee for promotion. Even according to the Board Proceedings of the respondent in B.P.Ms.No.1485 dated 05.10.1978, the time provided in respect of DVAC and Vigilance complaints, is 90 days for a minor penalty and 180 days for a major penalty. But, in this case, almost one year has been lapsed. However, this Court cannot lose sight of the submissions of the learned Standing Counsel that they need cooperation from the DVAC Department.

7. In view of the peculiar circumstances, this Court direct the



respondent to conclude the disciplinary proceedings and pass final orders on its own merits and in accordance with law, within a period of eight(8)

weeks from the date of receipt of a copy of this order. Certainly, there is a responsibility on the part of the petitioner to cooperate with the Disciplinary Authority.

8. In the result, this Writ Petition stands disposed of with the above directions. There shall be no order as to costs.

31-07-2025

kmi

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No

To

1.The Chairman And Managing
Director
TANGEDCO,
No.144, Anna Salai, Chennai- 2.



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C.KUMARAPPAN J.

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