



W.P.No.30970 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 20.08.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.30970 of 2025
and W.M.P.Nos.34688, 34691 & 34693 of 2025

D.Mathialagan

... Petitioner

Vs

1.The Additional Chief Secretary to Government,
Tourism, Culture & Religious Endowments (C1) Department
Fort St. George, Chennai.

2.The Commissioner of Arts and Culture Department,
Chennai 600 008.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records of the 1st respondent in G.O.(2D) No.18 dated 31.08.2018 and quash the same, consequently direct the respondents to forthwith settle the terminal benefits and all other benefits to the petitioner.

For Petitioner : Mr.D.S.Rajasekaran

For Respondents : Mr.R.U.Dinesh Rajkumar,
Additional Govt. Pleader for R1 & R2



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ORDER

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The above writ petition has been filed to quash the order passed by the first respondent in G.O.(2D) No.18 dated 31.08.2018, and consequently to direct the respondents to settle the terminal benefits and other benefits, the petitioner is entitled to.

2. The short facts giving rise to the filing of the writ petition are herein below stated :

- a) The petitioner was the former Principal of Fine Arts College at Chennai. He was subsequently transferred and posted as Head of the Department, Government College of Fine Arts, at Kumbakkonam.
- b) On 25.10.2017, one Prakash, a final year student of Suduman Department, Government College of Fine Arts, Chennai, had committed suicide. It has been alleged that he had been suffering from mental depression and had not attended the college for over 42 days, prior to the incident. The suicide was given a communal and caste colour. Though the petitioner was not responsible for the



same, the parents were constrained to give a false complaint against him under Sections 174, 306 IPC and Section 3(1)(r)&(s) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act 2015.

- c) In view of the registration of the FIR against him, the respondent-Department placed the petitioner under suspension vide G.O.(2D) No.18 Tourism, Culture & Religious Endowments (C1) Department, dated 31.08.2018. On account of the said G.O., the petitioner was not permitted to retire on the date of his superannuation i.e., 31.08.2018. As a result, he had been denied his pension and terminal benefits.
- d) The allegation levelled against the petitioner was that the victim boy along with their parents had visited the petitioner at the College on 13.09.2017 with certain allegations against the Professor, and the dispute was resolved by the petitioner, but the petitioner had thereafter not taken steps to see whether the victim boy/student was attending the college regularly.
- e) Thereafter, vide G.O.10 No.95 dated 06.06.2022, an Enquiry Officer was appointed. Although the enquiry officer has been



appointed as early as 06.06.2022, and the enquiry was conducted on 29.11.2023, 23.01.2024 and 24.01.2024, and also the petitioner had participated in all the enquiry proceedings and submitted his explanation, no orders have been passed based on the enquiry.

- f) The petitioner would submit that his suspension is without any basis, void and illegal.

Challenging the said G.O., the petitioner is before this Court.

2. Heard the learned counsel appearing for the petitioner and Mr.R.U.Dinesh Rajkumar, learned Additional Government Pleader who takes notice on behalf of respondents 1 and 2.

3. Admittedly the enquiry against the petitioner, has been concluded and what remains is only passing of the order. The enquiry appears to have concluded on 24.01.2024 and though a year and a half had passed, the respondents are yet to pronounce the orders. The petitioner is suffering grave hardship on account of the pendency of this proceedings.

4. Though the relief claimed is to quash the impugned proceedings



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dated 31.08.2018, however taking note of the fact that enquiry had been concluded in the disciplinary proceedings, a mandamus is issued to the respondents to pass orders in the enquiry involving the petitioner herein, within a period of one month from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of . No costs. Consequently, connected miscellaneous petitions are closed.

20.08.2025

Index : Yes / No

Neutral Citation : Yes / No
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To :

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Fort St. George, Chennai.
- 2.The Commissioner of Arts and Culture Department,
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P.T. ASHA, J.

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