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W.P.No.31212 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.08.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.31212 of 2025

N.Saravanan

... Petitioner

Vs.

1.The State Of Tamil Nadu
Rep. By Its Secretary To Government,
Municipal Administration And Water Supply Department,
Secretariat, Namakal Kaviner Maligai,
Chennai-09

2.The Director Of Municipal Administration
75, Santhome High Way, MRC Nagar,
Raja Annamalai Nagar, Chennai- 28.

3.The Commissioner
Erode City Municipal Corporation,
Erode.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India
praying for issuance of a writ of Mandamus, directing the 3rd
Respondents herein to complete the disciplinary proceedings initiated



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under charge memo dated 24.11.2022 in Roc. No. C1/ 55/2021 based on explanation submitted by the petitioner dated 06.01.2023 and 24.01.2023 within the stipulated time fixed by this Honble court.

For Petitioner : M/s.P.Rajavel

For Respondents : M/s.C.Selvaraj, AGP
for R1 & R2.

: M/s.M.Rajamathivaran, Standing Counsel
for R.3

ORDER

The writ petition has been filed for the following reliefs:-

"directing the 3rd Respondents herein to complete the disciplinary proceedings initiated under charge memo dated 24.11.2022 in Roc. No. C1/ 55/2021 based on explanation submitted by the petitioner dated 06.01.2023 and 24.01.2023 within the stipulated time fixed by this Honble court."

2. It is the contention of the petitioner that he was appointed as a Wireman in the 3rd respondent corporation with effect from 20.12.1989, when it was a Municipality. Thereafter, the 3rd respondent was upgraded as a Corporation with effect from 01.01.2008.



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3. It is the case of the petitioner that the post of Wireman was grouped as Skilled Assistant Grade-I with effect from 16.09.2009.

Accordingly, based on seniority the petitioner was promoted to the post of Technical Assistant with effect from 20.12.2009 and the next avenue of promotion was that of a Junior Engineer on 20.02.2019 as per the Service Rule.

4. The petitioner would submit that he has been discharging his duties in an unblemished manner without complaints from any quarters. He would further submit that while he was working as a Junior Engineer, certain allegations of misconduct were alleged against him and the investigation was handed over to the Deputy Superintendent of Police, Vigilance and Anti-Corruption Police, Erode. The said official had issued directions to the 3rd respondent to take appropriate action against the petitioner.

5. Thereafter, to the petitioner's shock and surprise the 3rd respondent had issued a charge memo dated 24.11.2022 framing the two charges against him. The petitioner had submitted a detailed explanation to the charge memo along with the relevant documents issued by the 3rd



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respondent. Thereafter, the 3rd respondent had made a partial modification and issued a fresh charge memo dated 10.01.2023 to the petitioner instead of the charge memo dated 24.11.2022 to which also a detailed explanation was given on 24.01.2023. The disciplinary proceedings are however kept pending and nearly 3 years have lapsed since the framing of the charge memo. On 04.08.2025, the petitioner had made a representation to the 3rd respondent seeking voluntary retirement from the service from 30.11.2025 on account of his health conditions.

6. The petitioner would submit that the pending disciplinary proceedings may be used against him for rejecting his request for voluntary retirement. Therefore, he has invoked the jurisdiction of this Court seeking a direction to the 3rd respondent to complete the disciplinary proceedings within a time frame based on the explanation given by the petitioner on 06.01.2023 and 24.01.2023.

7. Heard the learned counsel on either side.

8. Admittedly, the charge memo has been issued as early in the year 2022 to which an explanation has also been given without much delay. However, despite the lapse of more than 2 years, no further progress has



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been made in the departmental proceedings. Therefore, the Writ Petition is allowed and a mandamus is issued directing the 3rd respondent to conclude the disciplinary proceedings initiated under charge memo dated 24.11.2022 in Roc. No. C1/ 55/2021 based on explanation submitted by the petitioner dated 06.01.2023 and 24.01.2023, within a period of 5 months from the date of receipt of a copy of this order. No costs.

19.08.2025

(shr)

Index : Yes/No

Speaking Order: Yes/No

Neutral Citation : Yes/No

To

1.The Secretary To Government,
The State Of Tamil Nadu
Municipal Administration And Water Supply Department,
Secretariat, Namakal Kaviner Maligai,
Chennai-09

2.The Director Of Municipal Administration
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3.The Commissioner
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P.T. ASHA. J.,

(shr)

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