



WEB COPY

CONT P NO. 2711 of 2023
and REV.APLN NO. 93 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-03-2025

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THE HONOURABLE MR JUSTICE M.S. RAMESH

CONT P NO. 2711 of 2023

and REV.APLN NO. 93 of 2025

Cont.P.No.2711 of 2023

A.Usman

Petitioner(s)

Vs

Thiru.G.Joseph Arockiadoss

Chief Electricity Inspector of Government, Guindy, Chennai - 600 032. Contemnor(s)

Prayer : Petition filed U/s.11 of the Contempt of Courts Act, to punish the respondent herein for wilful disobedience of the order dated 15.03.2023 in W.P.No.25027 of 2019.

For Petitioner(s): Ms.Shabnam

For Contemnor(s): Mrs.V.Yamuna Devi Special Government Pleader

Notice was served for G. Joseph Arockiadass, Chief Electricity Inspector of Government, Guindy, Chennai - 600 032. vide court order dated 16.02.2024

Notice was served for G. Joseph Arockiadass, Chief Electricity Inspector of Government, Guindy, Chennai - 600 032. vide court order dated 25.10.2024

Reply Affidavit Filed On 12.12.2024

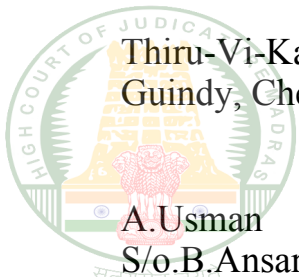
Vakalat Filed By Mr.L.S.M.Hasan Fizal, Additional Government Pleader, Counsel For Respondent Filed On 20.01.2025

Rev. Apln.No.93 of 2025

1, State of Tamil Nadu

Rep. by its Principal Secretary to Government, Department of Energy(D2) Department, Secretariat, Fort St. George, Chennai-9.

2 The Chief Electrical Inspector to Government



Thiru-Vi-Ka Industrial Estate
Guindy, Chennai 600 032



Appellant(s)

Vs

A.Usman

S/o.B.Ansar, (Formerly working as Sperintendent), now residing at
Old No.35/1, New No.81, Mir Bakshi Ali Street, Royapettah,
Chennai-14

Respondent(s)

Prayer: To review the order dated 15.03.2023 made in W.P.No.25027 of 2019 and allow this Review Petition.

For Appellant(s):LSM Hasan Fizal, AGP

For Respondent(s): Ms.Shabnam for Mr.A.M.Esakkiappan

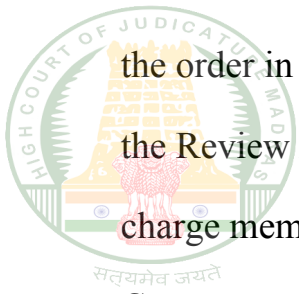
COMMON ORDER

On the strength of certain proven charges, the 2nd respondent in the writ petition had imposed punishment of removal from service on the writ petitioner. The appeal against the said punishment was also confirmed by the 1st respondent in the writ petition on 23.07.2019. When the writ petitioner had challenged both the punishment as well as the appellate order in W.P.No.25027 of 2019, I had passed final orders on 15.03.2023, quashing the disciplinary proceedings and granted liberty to the Authority to proceed further on the original charge memo framed under Rule 17 (b) of the Tamil Nadu Civil Services (Discipline & Appeal) Rules, dated 29.12.2017. However, in paragraph No.9 of the order dated 15.03.2023, the date of the charge memo was referred to as 27.11.2012 instead of 29.12.2017.

2.It is now brought to the notice of this Court, that a charge memo was earlier issued against the petitioner on 27.11.2012, which culminated to a punishment of censure.

However, the subject matter of the writ petition revolves around the second charge

memo dated 29.12.2017. Apparently, the date of the charge memo in paragraph No.9 of



the order in the writ petition is a mistake, which requires to be rectified. Accordi

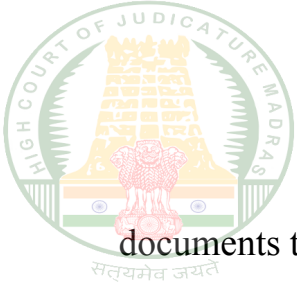
the Review Application No.93 of 2025 stands allowed by substituting the date of the charge memo in paragraph No.9 of the order from 27.11.2012 to 29.12.2017.

Consequently, paragraph No.9 of the original order passed in W.P.No.25027 of 2019 dated 15.03.2023 shall read as follows:

"

9.In the light of the above findings and observations, the impugned orders of the respondents 1 and 2 dated 23.07.2019 and 21.08.2018 respectively, are set aside. However, the second respondent is at liberty to conduct a fresh enquiry, if they choose to do so, based on the original charge memo framed under Rule 17 (b) of the Tamil Nadu Civil Services (Discipline & Appeal) Rules, dated 29.12.2017. The Writ Petition thus stands partly allowed. Consequently, the connected miscellaneous petition is closed. There shall be no order as to costs."

3.It is the contention of the learned counsel for the petitioner that they had sought for certain documents, which the disciplinary authority intends to rely upon during the contemplated enquiry. In case, such documents are going to be relied upon by the disciplinary authority, the petitioner would be entitled for the same. In the light of this observation, the petitioner is granted liberty to give a fresh representation seeking for any of the relevant documents for the purpose of rendering his explanation, within a period of two (2) weeks from the date of receipt of a copy of this order. On receipt of such a representation, the disciplinary authority shall forthwith furnish such



M.S.RAM



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documents to the petitioner within a period of two (2) weeks from the date of receipt of the said representation. The petitioner shall also cooperate during the course of enquiry,

The disciplinary authority shall also conclude the disciplinary proceedings as expeditiously as possible, in any event, within a period of four (4) months from the date of receipt of a copy of this order.

4. Prior to Review of this order, the petitioner was of the view that the order passed in the writ petition in W.P.No.25027 of 2019 was not complied with, and hence the above contempt petition in Cont.P.No.2711 of 2023 was filed. Now that, the original order itself has been reviewed and certain directions have been issued, no effective orders can be passed in the contempt petition.

5. Thus, both the Review Application and the Contempt Petition stand closed.

07-03-2025

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