



W.P.No. 36177 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 22.09.2025

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THE HONOURABLE Mr. JUSTICE A.D. JAGADISH CHANDIRA

W.P.No. 36177 of 2025

&

W.M.P.Nos. 40423 & 40426 of 2025

P.Rajamanickam

...Petitioner

Vs.

Neyveli New Thermal Power Station
Rep by its Disciplinary Authority,
Office of the Chief General Manager,
NLC India Ltd.,
NNTPS, Neyveli,
Cuddalore District – 607 807.

...Respondent

Prayer: Petition is filed under Article 226 of the Constitution of India, seeking Writ of Certiorarified Mandamus, to call for the records on the file of the respondent made in Memo No.NNTPS/ HR/ DISC/ 2025



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dated 06.09.2025 and quash the same and consequently direct the respondent to include petitioner's name in the panel of Deputy General Manager (DGM) who is fit for promotion to the post of General Manager (GM) in the ensuing Departmental Promotion Committee and promote petitioner as a General Manager with all monetary and service benefits.

For Petitioner : Mr. K.Venkataramani
Senior Advocate
For Ms. Selvi George

For Respondents : Mr. N.Nithinandan

ORDER

This writ petition is filed for the relief of a writ of certiorarified mandamus, to call for the records on the file of the respondent made in Memo No.NNTPS/ HR/ DISC/ 2025 dated 06.09.2025 and quash the same and consequently direct the respondent to include the petitioner's name in the panel of Deputy General Manager (DGM) who is fit for promotion to the post of General Manager (GM) in the ensuing Departmental Promotion Committee and promote the petitioner as a



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General Manager with all monetary and service benefits.

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2. The case of the petitioner is that he belongs to the Scheduled Caste community and was appointed as a Graduate Engineer Trainee / Mechanical on 20.11.1989. Right from the date of joining, he has been rendering an unblemished and sincere service to the respondent Company. The petitioner was promoted to the post of Assistant Executive Engineer (AEE). Thereafter, the petitioner was promoted as a Deputy General Manager (DGM) on 01.07.2021 and the petitioner is continuing in the said post till date.

3. The petitioner's further case is that he is due to retire on 31.05.2027, on attaining the age of superannuation. The next avenue of promotion for the post of Deputy General Manger is General Manager. A Deputy General Manager who has completed 3 years of service is eligible for promotion to the post of General Manager (GM). Since the petitioner possesses the eligible criteria and is one of the seniormost Deputy General Managers in the respondent corporation, he is entitled



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to be considered for promotion to the post of General Manager.

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4. While so, a complaint was given by one Suganya, wife of Karuppasamy, stating that two unidentified persons have snatched her handbag, in which she had kept 5 sovereigns of gold mangal sutra and a case was registered in Cr.No.486 of 2023 on 14.12.2023. Subsequently, an enquiry was conducted by the Inspector of Police, All Women Police Station, Neyveli, and the complaint was later closed as mistake of fact.

5. Thereafter, the said Suganya filed a complaint against the petitioner alleging sexual harassment and that the petitioner has forcefully taken 9.5 sovereigns of gold jewellery from her. The petitioner would submit that he had appeared before the Inspector of Police, All Women Police Station, Neyveli and explained that the complaint was based on false allegations and after enquiry, the complaint was closed. However, the respondent Corporation has issued a charge memo dated 06.09.2025 to the petitioner, on the basis of the



complaint given by the said Suganya.

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6. The learned Senior Counsel appearing for the petitioner would submit that the charge memo has been issued to the petitioner only to stall further promotion of the petitioner and therefore, it has to be set aside.

7. Per contra, Mr. N.Nithianandan, learned counsel appearing for the respondent Corporation would submit that though the petitioner refers to an earlier complaint, the charge memo has been issued based on a complaint given by the said Suganya to the officials of the respondent Corporation, based on which a notice has been given to the petitioner. He would further submit that the petitioner had failed to inform the Company about the criminal case registered against him. Therefore, he would submit that the Writ Petition deserves to be dismissed.



8. Heard the learned counsel on the either side and perused the records.

9. This writ petition has been filed against the charge memo dated 06.09.2025. A writ petition filed against a charge memo can be considered only on the following grounds:

“(i)Lack of Jurisdiction / competence – issued by unauthorised officer.

(ii)Mala fides / bias – clear case of personal vendetta.

(iii)Ex facie illegal – charges are vague, barred by law, or do not constitute misconduct.

(iv)Double Jeopardy – same charges already enquired into earlier.

10. In the instant case, it is clear that none of the aforesaid grounds has been made out by the petitioner. Admittedly, a criminal case is pending against the petitioner. In view of the same, this Court does not find any infirmity in the impugned charge memo. However, the petitioner is directed to appear before the Enquiry Officer and the



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enquiry shall be completed within a period of 4 weeks from the date of receipt of a copy of this order, since it is stated by the learned Senior Counsel for the petitioner that the pendency of the enquiry will be detrimental to his promotion.

11. The Writ Petition is disposed of with the above direction. Consequently, the connected miscellaneous petitions are closed. No costs.

22.09.2025

Index : Yes/No

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To

Neyveli New Thermal Power Station

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