



W.A No. 2711 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-09-2025

CORAM

THE HON'BLE MR JUSTICE R.SURESH KUMAR

AND

THE HON'BLE MR JUSTICE HEMANT CHANDANGOUDAR

W.A No. 2711 of 2025

And

CMP.No. 21801 of 2025

Adrash Kumar Mishra

..Appellant

Vs

1. The Inspector General
Central Industrial Security Force,
South Sector, Head Quarters,
New War Memorial,
Chennai-600009.

2.The Deputy Inspector General,
Central Industrial Security Force,
South Zone, Head Quarters,
Rajaji Bhavan, Besant Nagar,
Chennai-600090.



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3.The Group Commandment,
CISF Group Headquarters,
C-2, Kendriya Bhavan,
Kakkanad,
Cochin-682030.

4.The Deputy Commandant,
Central Industrial Security Force Unit,
Cochin Port Trust,
Cochin-682003.

..Respondents

Writ Appeal is filed under Clause 15 of Letter Patent to set aside the order dated 12.02.2024 passed in W.P.No. 18675 of 2021.

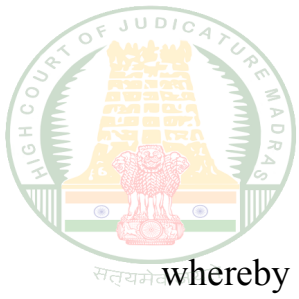
For Appellant: Mr.R.Thiyagarajan

For Respondents : Mr. P.J.Anitha, Senior Panel Counsel

JUDGMENT

(Made by ***HEMANT CHANDANGOUDAR, J.***)

This intra-Court appeal is directed against the order dated 12.02.2024 passed by the learned Single Judge in W.P. No. 18675 of 2021. By the said order, the learned Single Judge upheld the decision of the respondent herein,



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whereby the appellant/writ petitioner was dismissed from service on account of misconduct.

2. The facts in brief are as follows: The appellant/writ petitioner was issued with a charge memorandum dated 07.02.2018. The charges levelled against him related to threatening and abusing his superior officers, disobeying their orders, creating panic and disturbance, and causing nuisance under the influence of alcohol. The explanation submitted by the appellant/writ petitioner was found unsatisfactory. Consequently, a departmental enquiry was initiated. The Enquiry Officer, after conducting the enquiry in accordance with the prescribed procedure, submitted his report holding that the charges framed against the appellant/writ petitioner stood proved. Thereafter, a second show cause notice was issued, and upon consideration of the reply, the disciplinary authority imposed the major penalty of dismissal from service by order dated 01.05.2019. The appeal as well as the revision petition preferred by the appellant/writ petitioner were also dismissed, thereby confirming the order of dismissal.



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3. Mr. R. Thiagarajan, learned counsel for the appellant/writ petitioner, contended that even if the appellant was addicted to alcohol, the employer ought to have extended medical treatment for such addiction. It was submitted that the misconduct alleged was not in relation to misappropriation or any other grave or serious misconduct, and therefore, the punishment of dismissal from service was wholly disproportionate to the gravity of the charges.

4. Per contra, Ms. P.J. Anitha, learned Senior Panel Counsel for the respondents, submitted that although the present dismissal was not on account of misappropriation, the appellant/writ petitioner had earlier been penalised on six occasions for similar charges. In such circumstances, the disciplinary authority was left with no other option but to impose the punishment of dismissal. It was argued that the punishment was commensurate with the gravity of the misconduct, and further, the enquiry was conducted in a fair and proper manner. Hence, the order of dismissal cannot be faulted.

5. We have considered the rival submissions advanced on either side and have carefully perused the material placed on record.

6. It is not in dispute that the appellant/writ petitioner had been proceeded



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against on several earlier occasions for similar misconduct and had been awarded penalties on six different instances. Despite such repeated punishments, the appellant/writ petitioner once again indulged in similar acts of indiscipline under the influence of alcohol. The Enquiry Officer, after affording full opportunity to the appellant/writ petitioner, found the charges to be proved. Both the Disciplinary Authority and the Appellate Authority, upon due consideration of the enquiry report and the further representation of the appellant/writ petitioner, came to the conclusion that the appellant, being a member of an Armed Police Force such as the CISF, had not only tarnished the image of the CISF Unit at CPT Cochin but also the reputation of the CISF Organisation as a whole.

7. His past record reveals that he had been awarded eight penalties for proven misconduct of indiscipline, out of which four related to drunkenness. Such repeated misconduct clearly establishes that the appellant/writ petitioner is incorrigible and unwilling to mend himself to become a disciplined member of the Force. It was rightly observed by the authorities that such conduct is incompatible with service in a disciplined force like the CISF, where the highest standards of discipline are of paramount importance. The commission of such



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acts of misconduct renders the appellant/writ petitioner unsuitable to continue in service. Therefore, the punishment of dismissal from service imposed by the Disciplinary Authority is proportionate to the gravity of the misconduct and cannot be interfered with.

8. In view of the above discussion, and having regard to the fact that the enquiry was conducted fairly and in accordance with law, and the appellant/writ petitioner having been earlier penalised on multiple occasions for similar charges, we do not find any illegality or infirmity in the impugned order of the learned Single Judge.

9. Accordingly, the writ appeal fails and is dismissed as devoid of merits. Consequently, the connected miscellaneous petition is closed. There shall be no order as to costs.

(R.S.K.,J)

(H.C., J)

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Index : Yes / No

Internet : Yes/No

Neutral Citation : Yes / No

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To

1. The Inspector General



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