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W.P.No.43465 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

W.P.No.43465 of 2025
and W.M.P.No.48631 of 2025

M.Muniyappan

... Petitioner

-Vs-

1. The District Collector,
Tirupattur District,
At Tirupattur.
2. The Revenue Divisional Officer,
Tirupattur, Tirupattur District.
3. The Tahsildar,
Natrampalli,
Tirupattur District.
4. The Enquiry Officer/
Special Tahsildar,
(Social Protection Scheme),
Tirupattur Taluk and District.
5. The Inspector of Police,
Vigilance and Anti Corruption,
Tirupattur District.

... Respondents

Prayer : Writ Petition filed under Article 226 of Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus, call for the records relevant to the impugned summon in Na.Ka.A2/2025 dated 22.10.2025 passed by the 4th respondent and quash the same is illegal, improper, unreasonable,



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arbitrary and against the principles of natural and thereby direct the 4th respondent to defer the enquiry in the disciplinary proceedings against the petitioner till the disposal of the criminal case in Spl.C.C.No.22/2024 on the file of the Learned Chief Judicial Magistrate and Special Judge, Tirupathur on the ground of similarity of charges based on the same set of oral and documentary evidence.

For Petitioner : Mr.R.Sundarapandiyan
For Respondents : Mr.Yogesh Kannadasan
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the summon issued by the fourth respondent dated 22.10.2025 to proceed with the disciplinary proceedings.

2. Heard the learned counsel on either side and perused the materials available on record.

3. The petitioner was appointed as Village Administrative Officer. Thereafter, he was placed under suspension alleging that the petitioner had demanded a sum of Rs.3000/- as bribe for change of patta. A criminal case was also registered against the petitioner in Crime No.01 of 2023 for the offence punishable under Section 7 of Prevention of Corruption Act and the same has



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been culminated into Trial in Spl.C.C.No.22 of 2024 on the file of the Chief Judicial Magistrate, Thirupathur. While being so, the petitioner was served with a charge memo and initiated disciplinary proceedings consisting of three charges.

4. A perusal of the charge memo as well as the criminal charges reveals that both are one and the same. The witnesses cited in the charge sheet in the criminal case and also witnesses in the disciplinary proceedings are one and the same.

5. Pending trial, now the petitioner was issued summons to appear for enquiry in the disciplinary proceedings. In fact, the petitioner also obtained a direction to dispose the criminal case within a stipulated time from this Court. Pending criminal case, if the disciplinary proceedings is initiated, it will cause prejudice to the petitioner while defending the criminal case.

6. The issue as to whether the departmental proceedings and criminal trial can go on simultaneously has been dealt with by the Hon'ble Supreme Court of India and this Court. There is no straight jacket formula to hold that wherever the criminal proceedings are pending, the departmental proceedings cannot be



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initiated. The only point to be considered that whether the departmental proceedings will seriously prejudice the delinquent employee in the criminal trial. Therefore, depends upon the facts of the case, the Court can defer the proceedings till the completion of criminal case.

7. In the case on hand, the charge memo as well as the criminal charges pending before the Criminal Court are based on the very same set of allegations. In fact, the witnesses cited in the criminal case are also same in the disciplinary proceedings. Therefore, if the disciplinary proceedings is proceeded against the petitioner, it would seriously cause prejudice to the petitioner, since his defence will be exposed in the departmental proceedings. Therefore, the disciplinary proceedings has to be deferred till the completion of the criminal case.

8. In view of the above, the fourth respondent is directed to keep the disciplinary proceedings in abeyance till the completion of criminal case in Spl.C.C.No.22 of 2024 on the file of the Chief Judicial Magistrate, Thirupathur. The Trial Court is directed to complete the trial in Spl.C.C.No.22 of 2024 as directed by this Court in CrI.O.P.No.9988 of 2025 dated 04.04.2025. It is also made clear that if the criminal trial is prolonged even after six months, the respondents are at liberty to proceed with the disciplinary proceedings.



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9. With the above directions, this writ petition stands disposed of.

Consequently, connected Miscellaneous petition is closed. No costs.

11.11.2025

Internet: Yes

Index : Yes/No

Neutral Citation: Yes/No

Speaking/Non Speaking order

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G.K.ILANTHIRAIYAN. J,

mn

To

1. The District Collector,
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At Tirupattur.
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Copy to

The Chief Judicial Magistrate, Thirupathur.

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