



WP No. 46671 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-12-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE V. LAKSHMINARAYANAN

WP No. 46671 of 2025
AND WMP NO. 52080 OF 2025

K.Renuka Devi
Steno Typist ,Grade 1,
Fast Track Mahila Court,
Dharmapuri

..Petitioner(s)

Vs

1. The Principal District Judge
Dharmapuri,
Dharmapuri District.
2. The Principal Sub Judge
Dharmapuri, Dharmapuri District

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Certiorari calling for the records of the 2nd respondent in DP No.... of 2025 dated 22.09.2025 and quash the same.

For Petitioner:	Mr.E.Prabu
For Respondents :	Mr.E.K.Kumaresan

Order

(Order of the Court was made by V.LAKSHMINARAYANAN, J.)

The petitioner is working is presently working as Steno Typist Grade I in the Fast Track Court at Dharmapuri. She was served with a memo on 18.10.2024 by the learned Principal Subordinate Judge, Dharmapuri. By this memo, he called



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upon the petitioner for an explanation as to why the compromise memo filed in O.S.No.53 of 2025 on the file of the Principal Subordinate Court, Dharmapuri is missing from the bundle. The petitioner had sent her response on 21.10.2024 stating that, at no point of time she handled the case bundle and therefore, she is not responsible for the missing compromise memo.

2. The Principal Subordinate Judge was not satisfied with the reply given by the petitioner and hence framed charges against her in disciplinary proceedings D.P.No..... of 2025 dated 22.09.2025. Challenging the same, the present writ petition.

3. We heard Mr.S.Mohan for the writ petitioner.

4. He submitted that the Principal Subordinate Judge ought to have considered that the petitioner has nothing to do with the bundle in O.S.No.53 of 2005 and the papers have been handled by one Ms.Arulmozhi. He points out that, insofar as Charge No.1 is concerned, Arulmozhi has typed the judgment and sent the bundle to the Bench Clerk for indexing and the petitioner cannot be held responsible for the same.

5. He pointed out that, in a subsequent suit viz., O.S.No.8 of 2020 on the file of the Additional District Judge, Dharmapuri as well as in A.S.No.16 of 2021 on the file of this Court, clear findings were rendered holding that the compromise decree is



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final and binding on the parties. He states, in the light of the clear and categorical findings of the Courts in the aforesaid proceedings, the charge memo requires to be quashed.

4. A charge memo can be questioned on the grounds,

- (i) Issued by an incompetent authority
- (ii) Vagueness
- (iii) Inordinate and unexplained delay
- (iv) Malice or ulterior motive
- (v) Lack of prima facie case

5. A writ petition challenging a charge memo is entertained in extremely rare and exceptional cases. The normal rule is to direct the employee to participate in the enquiry and establish his or her innocence. None of the aforesaid grounds having been raised in the present case, hence we are not inclined to entertain the writ petition.

6. At this stage, Mr.Mohan pointed out that the writ petitioner is due to retire from service on 31.03.2026 and if the disciplinary proceeding is carried on endlessly, it will put the petitioner to irreparable loss and prejudice.



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7. Taking note of this submission, we direct the second respondent to complete the enquiry within a period of 15 days from the date of receipt of a copy of this order and to pass final orders within a period of one month thereafter. Prior to passing the same, the disciplinary authority shall strictly adhere to the principles of natural justice and afford an opportunity to the petitioner to set forth her defence.

7. With the above directions, this writ petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.K.,J.) (V.L.N.,J.)
04-12-2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

KST



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To

1. The Principal District Judge
Dharmapuri,
Dharmapuri District.
2. The Principal Sub Judge
Dharmapuri,
Dharmapuri District



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**R.SURESH KUMAR J.
AND
V.LAKSHMINARAYANAN J.**

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