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WP.No.45280 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.11.2025

CORAM

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

WP.No.45280 of 2025 and
WMP.No.50419 of 2025

R.Ramesh

.... Petitioner

Vs

1.THE SECRETARY TO GOVERNMENT,
PERSONNEL AND ADMINISTRATIVE REFORMS, (PERSONNEL-N)
DEPARTMENT, FORT ST. GEORGE, CHENNAI-600 009

2.THE JOINT DIRECTOR OF SCHOOL EDUCATION,
(HR SECONDARY) DPI COMPOUND, NUNGAMBAKKAM,
CHENNAI-600 006

3.THE CHIEF EDUCATIONAL OFFICER,
THIRUVALLUR DISTRICT, THIRUVALLUR -602 001 ... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records relating to the impugned proceedings of the 3rd Respondent dated 21.02.2023 in Na.Ka. No.7760/Aa1/2020 and the consequential inquiry report as communicated by the 2nd respondent through his proceedings in Na.Ka. No.012371/W2/E3/2021 dated 06.10.2025 and quash the same

For Petitioner : Mr.E.J.Ayyappan



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For Respondents

For R1 : Mr.V.Jeevagiridharan,
Additional Government Pleader

For R2 & 3 : Mrs.S.Mythreye Chandru,
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the charge memo dated 21.02.2023 on the file of the third respondent.

2. On perusal of records, it is found that the petitioner had been appointed as BT Assistant and subsequently he was promoted to the post of PG Assistant. While being so, there was a civil dispute between the petitioner and the petitioner's family members, which culminated into OS.No.172 of 2013 between the petitioner and his wife and his mother, due to which there was quarrel between them and FIR has been registered in crime No.2275 of 2020 against the petitioner for the offence punishable under Section 294(b), 323, 448, 427, 506(i) of IPC r/w Section 3(2) of Tamilnadu Prevention of Damage to Public Property Act, 1984 and Section 24 of Maintenance and Welfare of Parents & Senior Citizens Act, 2007. Investigation is still pending for filing final report. In the meanwhile, on the 2/6



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basis of the FIR and arrest, the petitioner was suspended from service and now he has been reinstated into service. On the basis of the registration of FIR, the petitioner was served with charge memo consisting one charge. It was issued in the year 2023. Enquiry officer was also appointed. However, enquiry is yet to be commenced by the enquiry officer. The criminal case is also pending at the stage of FIR. Now the petitioner is challenging the charge memo on the ground that for the very same set of charges, criminal case has been registered. If the departmental proceedings is continued, it will cause prejudice to the petitioner while defending the criminal case.

3. Admittedly the criminal case is pending at the stage of FIR and no charge sheet has been laid. However, the petitioner has been served with charge memo in the disciplinary proceedings and the enquiry officer has also been appointed. Therefore, the disciplinary proceedings has nothing to do with the criminal case pending against the petitioner. The settled law is that simultaneous proceedings can very well be proceeded against the delinquent by way of criminal complaint and also disciplinary proceedings.

4. In view of the above discussion, this Court finds no infirmity or illegality in the impugned proceedings. Accordingly, this writ petition is



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dismissed. However, the disciplinary authority is directed to complete the domestic enquiry and to pass final orders within a period of three months from the date of receipt of this order. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

24.11.2025

Neutral citation :Yes/No
Index:Yes/No
Speaking/Non speaking
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