



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 28-11-2025**

CORAM

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

**WP No. 46785 of 2025  
and WMP Nos. 52220 & 52222 OF 2025**

G.K.Balasubramaniam

Petitioner(s)

Vs

1.The Director of Municipal  
Administration  
No.75, Urban Administrative Building,  
Santhome High Road, MRC Nagar,  
R.A.Puram, Chennai-600 004.

2.The Commissioner  
Kundrathur Municipality,  
No.1, Lalachathram Road, Kundrathur  
Kancheepuram-600 069.

3.The Principal Secretary,  
Municipal Administrative and Water  
Supply Department, Fort St. George,  
Chennai-600 009.

Respondent(s)

**PRAYER**

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the records of relating to Culminating to Memorandum to initiate inquiry order by the 1st respondent bearing proceedings Roc.No.396(I)/2024/V1-1 dated 16.08.2025 and consequent order of appointing inquiry officer dated 29.10.2025 bearing the same reference number and quash the same and consequentially direct the respondents to reinstate the petitioner as Town Planning Inspector, together with all consequential service and monetary benefits, within frame as deem fit and proper by this Court.



For Petitioner(s): Mr.M.Aravind Subramaniyan  
Senior Counsel  
Mr.S.Harish Kumar

For Respondent(s): Mr.C.Selvaraj  
Additional Government Pleader

### **ORDER**

This Writ Petition has been filed challenging the charge memo dated 16.08.2025 and the order appointing Enquiry Officer dated 29.10.2025.

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

3.The petitioner, while working as a Town Planning Inspector, was suspended from service pursuant to the registration of an FIR in Crime No.01/AC/2024/KPM on the file of the Vigilance and Anti-Corruption, Kanchipuram, for the offences punishable under Section 7 of the Prevention of Corruption (Amendment) Act 2018, alleging that the petitioner demanded Rs.24,000/- for arranging regularisation of three plots. Pursuant to the registration of the FIR, the petitioner was arrested and remanded to judicial custody. After completion of the investigation, the criminal case is now ripe for trial in Spl.C.C.No.30 of 2025 on the file of the Principal District and Sessions Court, Kancheepuram. While being so, the petitioner was served with the



charge memo dated 16.08.2025 and the order appointing Enquiry Officer dated 29.10.2025.

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4.The learned Senior Counsel appearing for the petitioner submitted that the charge memo has been issued on the very same set of charges and by citing the very same set of witnesses as in the criminal case. If the disciplinary proceedings is allowed to proceed, it would cause prejudice to the petitioner to conduct the criminal case, since the very same witnesses are to be examined before the criminal Court. Though it is settled law that criminal proceedings and disciplinary proceedings can go on simultaneously, in cases where prejudice is likely to be caused to the delinquent, the disciplinary proceedings can be deferred till completion of the criminal trial.

5.In view of the above, the first respondent is directed to defer the disciplinary proceedings initiated under the charge memo dated 16.08.2025, for a period of six months. The Principal District and Sessions Judge, Kancheepuram, is directed to complete the criminal case in Spl.C.C.No.30 of 2025 within a period of six months from the date of receipt of a copy of this order. It is made clear that the enquiry officer can proceed with the enquiry without submitting the enquiry report in the disciplinary proceedings and shall be kept the report pending till the disposal of the criminal case.



6. With the above direction, this Writ Petition stands disposed of .

Consequently, connected miscellaneous petitions are closed. No costs.

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**28-11-2025**

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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**G.K.ILANTHIRAIYAN J.**

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