



W.P.No.46085 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.12.2025

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.46085 of 2025
And
W.M.P.No.51397 of 2025**

N.Elavarasan

... Petitioner

Vs.

1.The Director of Public Health and
Preventive Medicine,
Teynampet,
Chennai – 600 018.

2.The District Health Officer,
Dharmapuri District,
Dharmapuri.

3.The Block Health Officer,
Government Primary Health Centre,
Theerththamalai Block,
Harur Taluk,
Dharmapuri District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorari to call for the records relating to the impugned charge memo issued by the second respondent dated 03.11.2025 in Na.Ka.No.7018/E5/2025 and to quash the same.



W.P.No.46085 of 2025

For Petitioner : Mr.C.Prabakaran
For Respondents : Mr.Tippu Sultan
Government Advocate

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Certiorari to call for the records relating to the charge memo issued by the second respondent dated 03.11.2025 in Na.Ka.No.7018/E5/2025 and to quash the same.

2.The learned counsel appearing for the petitioner submitted that the petitioner was appointed as Grade – II, Health Inspector with the respondent department vide proceedings of the first respondent dated 13.01.2010 at Chinnangkuppam Primary Health Centre, Dharmapuri District and was promoted as Multi – Purpose Health Supervisor Grade – I / Health Inspector Grade – I on 10.08.2016. The learned counsel further submitted that the second respondent issued the impugned charge memo under Section 17(b) of the Tamilnadu Civil Services (Discipline and Appeal) Rules alleging that the petitioner had collected a sum of Rs.35,40,000/- and cheated Mazdoors in the Health Department in various Districts, thereby, violated Rule 20(1) of the Tamilnadu Government Servant's Conduct Rules, 1973.



W.P.No.46085 of 2025

WEB COPY

3.The learned counsel appearing for the petitioner further submitted that there is no sufficient reason in the charge memo for the allegation made against the petitioner, even assuming that regularization power is not available to the petitioner and is available only to the Higher Authorities. The learned counsel further submitted that the document relied upon by the respondent was not supplied to the petitioner to effectively participate in the enquiry proceedings.

4.The learned Government Advocate appearing for the respondents submitted that the charge memo cannot be challenged at the threshold unless it is issued by an un-competent person, however, no such ground is available in the present case and further submitted that at the time of enquiry, sufficient opportunity will be given to the petitioner and the copy of the documents relied upon by the respondents will be furnished to the petitioner for effective participation in the enquiry.

5.Charge memo cannot be challenged at the threshold unless it is issued without any allegation and prima facie evidence, however, no such ground is available in the present case. Hence, this Court is



W.P.No.46085 of 2025

not inclined to grant the relief sought for in this writ petition.

However, the respondents are directed to furnish the copy of the documents relied upon by them to the petitioner so as to enable the petitioner to effectively participate in the enquiry.

6.The writ petition is dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

03.12.2025

pri

Index: Yes/ No
Speaking Order: Yes/ No
NCC: Yes/ No

To

- 1.The Director of Public Health and
Preventive Medicine,
Teynampet,
Chennai – 600 018.
- 2.The District Health Officer,
Dharmapuri District,
Dharmapuri.
- 3.The Block Health Officer,
Government Primary Health Centre,
Theerththamalai Block,
Harur Taluk,
Dharmapuri District.

4/5



WEB COPY



W.P.No.46085 of 2025

M.DHANDAPANI,J.
pri

W.P.No.46085 of 2025
And
W.M.P.No.51397 of 2025

03.12.2025