



W.P.(MD)No.10706 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 14.10.2025

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THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD)No.10706 of 2025
and
WMP(MD).Nos.7966 & 7968 of 2025

M.Mohandoss

...Petitioner

Vs

1. The Chief Engineer,
Thoothukudi Thermal Power Station,
Thoothukudi-628 004.
2. The Superintending Engineer,
TANGEDCO Purchase and Administration,
Thoothukudi Thermal Power Station,
Thoothukudi-628 004.
3. The Executive Engineer,
TANGEDCO, Ash Handling Plant,
Thoothukudi Thermal Power Station,
Thoothukudi.
4. The Executive Engineer,
TANGEDCO, Electrical Maintenance – Division-III,
Thoothukudi Thermal Power Station,
Thoothukudi-628 004.
5. The Executive Engineer,
TANGEDCO, Electrical Maintenance – Division II,
Thoothukudi Thermal Power Station,
Thoothukudi-628 004.



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6. The Chairman,
TANGEDCO Anna Salai,
Chennai-626 002.

7. The Chief Engineer (Personnel),
TANGEDCO, Anna Salai,
Chennai-626 002.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the impugned re-enquiry order issued by the second respondent by its Memo No.013471/156/Sr.Ado/Adm.3(3)/2023-10 dated 12.09.2023 and quash the same.

For Petitioner : M/s.K.Gandhiammal

For Respondents : Mr.S.Arivazhagan
Standing Counsel

ORDER

This writ petition has been filed challenging the proceedings in which the charges framed against the petitioner had been directed to be enquired by an another enquiry officer.

2. The learned counsel for the petitioner would submit that an enquiry officer had originally been appointed and the said enquiry officer had also filed an enquiry report. However, the respondent holding that the Board instructions have not been followed, had again re-ordered a



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further enquiry as per the Tamil Nadu Electricity Board Employees Discipline and Appeal Regulations. He would submit that the petitioner is being unnecessarily harassed by having to attend two enquiries on the very same set of charges. Further he would submit that when the disciplinary proceedings are governed by the Tamil Nadu Electricity Board Employees Discipline and Appeal Regulations, the authority ought to have relied upon its instructions to hold that it has become necessary to appoint a new enquiry officer. Hence he prays indulgence of this Court on the order impugned herein.

3. Mr. S.Arivazhagan, learned standing counsel appearing for the respondents on the other hand would contend that necessary instructions has been given in a memo issued by the Board in respect of enquiry into disciplinary proceedings with regard to the intimation of the enquiry proceedings to the Director of Vigilance and Anti Corruption, so that necessary arrangements could be made for production of witnesses and to enable the officer of the Directorate nominated to assist him. Such procedure had not been followed by the enquiry officer. Therefore, the new enquiry officer had been appointed. He would further submit that a request has been made by the Superintendent of Police, Southern Range,



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Directorate of Vigilance and Anti-Corruption, Chennai -14, to change the enquiry officer as the earlier enquiry officer is also an accused in an another Vigilance and anti Corruption case. Hence, an another enquiry officer. He further submits that after the fresh enquiry had been ordered the petitioner had also attended the enquiry proceedings on various occasions and draw attention to Para 21 of the counter affidavit and therefore submits that the petitioner cannot now be heard to say that the order of re-enquiry is bad in law and therefore, he prays this court to dismiss the writ petition.

4. I have considered the submissions made on either sides and perused the material available on records.

5. The order impugned herein had been made as early as on 12.09.2023. The petitioner had approached this Court only in the month of January 2025 and in the writ petition *Rule Nisi* had been ordered on 21.04.2025. In the interregnum, the petitioner had participated in the enquiry on various dates namely 03.12.2024, 18.12.2024, 08.01.2025, 25.02.2025, 28.03.2025, 22.04.2025, 06.05.2025, 12.06.2025, 21.08.2025 & 16.09.2025. The same would indicate that even before



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approaching this Court, the petitioner had appeared before the enquiry Officer on two occasions and thereafter had appeared before the enquiry officer atleast on eight occasions. Having appeared before the enquiry officer, the petitioner is now estopped from challenging the impugned communication. Further, it would also not appropriate for this Court to interfere at this juncture.

6. For the aforesaid reasons, the writ petition fails and accordingly dismissed. There shall be a direction to the respondents to bring the disciplinary proceedings to its logical conclusion within a period of four month from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

14.10.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
gvn



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WEB COPY

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K.KUMARESH BABU, J.

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