



W.P.(MD)No.15525 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.15525 of 2025

G.Muthalraj

... Petitioner

-VS-

1.The Chief Engineer (Distribution),
Tamil Nadu Generation and Distribution Corporation,
Tirunelveli.

2.The Superintending Engineer,
Tamil Nadu Generation and Distribution Corporation,
Virudhunagar EDC,
Virudhunagar.

3.The Executive Engineer (Distribution),
Tamil Nadu Generation and Distribution Corporation,
Sattur, Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents to dispose the appeal dated 08.01.2025, pending on the file of the first respondent, within the time frame stipulated by this Court.



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For Petitioner : Mr.G.Kannan

For Respondents : Mr.S.Arivalagan
Standing Counsel

ORDER

This writ petition has been filed seeking a direction to the first respondent to dispose of the appeal filed by the petitioner dated 08.01.2025, in a time bound manner.

2. By consent, this Writ Petition is disposed of, at the admission stage itself.

3. The petitioner, who is an ITI certificate holder, submits that he was appointed as Helper in the respondent Department on 27.04.1987 and has since served the Department for over 38 years with an unblemished service records. He was successively promoted as Wireman, Line Inspector, Foreman and finally, as Special Grade Foreman on 10.05.2018. On 27.05.2022, a memo was issued against the petitioner relating to an alleged discrepancy in meter reading during its replacement in the year 2016. The petitioner promptly submitted his explanation on 16.06.2022.



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4. The petitioner further submits that initially, the second respondent informed him through proceedings dated 17.09.2022 that the disciplinary action initiated through the third respondent had been dropped, but paradoxically also conveyed an intention to proceed further on the same issue. Thereafter, fresh memos dated 21.10.2022 and 07.09.2023 were issued based on the same set of allegations, to which the petitioner submitted his explanations on 21.11.2022 and 25.09.2023 respectively. Thereafter, an enquiry was conducted and the enquiry report dated 28.06.2024 was submitted by holding the petitioner guilty of Charge No.1 alone. Charges 2 to 4 were not proved. Thereafter, the petitioner submitted a detailed explanation on 18.07.2024.

5. Subsequently, the second respondent issued a show cause notice dated 06.09.2024, proposing the penalty of stoppage of increment for one year without cumulative effect. The petitioner filed his reply on 01.10.2024, highlighting procedural lapses and pre-determined intent. However, vide proceedings dated 25.11.2024, the second respondent imposed the punishment as proposed, which is arbitrary, suffers from non-application of mind and is disproportionate to the nature of the proven charge.



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6. The petitioner further submits that he preferred a statutory appeal on 08.01.2025 to the first respondent through proper channel, but the same has been pending for over six months without any response or progress. The delay in both initiation and conclusion of the disciplinary proceedings violates the respondents' own Board Proceedings and the prolonged inaction causes serious prejudice to the petitioner's promotion, pay increment and other service benefits. Hence, the petitioner has approached this Court, by way of filing the present Writ Petition.

7. Considering the limited scope of the relief sought for by the petitioner, without going into the merits of the case, this Court hereby directs the first respondent to consider the appeal filed by the petitioner, dated 08.01.2025, on merits and pass appropriate orders in accordance with law, after giving due opportunity of hearing to the petitioner, within a period of two months from the date of receipt of a copy of this order.

8. With the above directions, this Writ Petition stands allowed. There shall be no order as to costs.



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NCC : Yes / No
Index : Yes / No
smn2

16.06.2025

To:-

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VIVEK KUMAR SINGH, J.

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