



W.A(md)No.1731 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated:11.12.2025

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THE HONOURABLE DR.JUSTICE **G.JAYACHANDRAN**

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

WA(MD)No.1731 of 2024
and
C.M.P(MD)No.13272 of 2024

1.The Secretary to Government,
Home (SC) Department,
Government of Tamil Nadu,
Fort St. George, Chennai-600 009

2.The Director General of Police,
Mylapore,
Chennai-600 004.

3.The Superintendent of Police,
Tiruchirappalli District.

4.The Chairman,
Tamil Nadu Public Service Commission,
Greams Road,
Chennai-600 006.

... Appellants/Respondents

Vs.

A.Sekar

...Respondent/Writ Petitioner



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Prayer: Writ Appeal filed under Clause 15 of Letters Patent, against the order dated 30.11.2021 passed by this Court in W.P(MD)No.16373 of 2014.

For Petitioners : Mr.S.P.Maharajan,
Special Government Pleader

For Respondent : Mr.V.R.Kamalanathan,
for Mr.v.Janakiramalu

JUDGMENT

(Judgment of the Court was delivered by DR.G.JAYACHANDRAN,J.)

This writ appeal has been filed by the State, aggrieved by the order of the learned Single Judge, who set aside the order of the first respondent imposing the punishment of cut in increment on the basis of two alleged charges of misconduct.

2.Two charges are framed against the respondent herein. The first charge is not registering the complaint given by the complainant, and the second charge is not making proper entry in the 'B' book. A possible explanation given by the delinquent for not making entry in the 'B' book and also for non-receipt of the complaint. Though there was no adequate evidence to show that there was willful dereliction of duty on the part of the appellant, his explanation that since he was assigned bandobast duty during the eve of Deepavali, he was not able to make proper entry. The said



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explanation was not accepted by the disciplinary authority and the punishment of stoppage of increment was imposed. The learned single Judge, gone through the records, had made a clear observation regarding the merit of the enquiry finding.

3.For the convenience sake, the relevant portion of the order is extracted hereunder:

“10.The petitioner also submitted that he served in the department with unblemished records and he was awarded Rs. 1,00,000/-(Rupees One Lakh) for his meritorious service and the respondents have not denied this fact. Admittedly, a charge memo was issued after a long lapse of 4 years and the charge is very flimsy for which initiating disciplinary proceedings after four years will vitiate the entire proceedings. The disciplinary proceedings against the Government employee ought to be avoided not only in the interest of the Government employee but also in the interest of public and also in the interest of installing confidence in the minds of the Government employees. Since in the present case, the petitioner is a meritorious candidate, this enquiry would harass the petitioner and the punishment awarded is also on higher side and liable to be set aside.

11.Therefore, this Court set aside the impugned order and consequently the respondents are directed to pay increment on par with other similarly placed persons and pay the arrears. This excise shall be carried out within six weeks from the date



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of receipt of a copy of this order.”

4.We find, the appeal by the State is frivolous litigation. Hence, the Writ Appeal stands dismissed. If the order of the learned single Judge not yet been implemented, it has to be implemented forthwith. No order as to costs. Consequently, the connected miscellaneous petition is closed.

[G.J., J.] & [K.K.R.K., J.]
11.12.2025

Index :Yes/No

Internet :Yes

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To

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