



W.P.(MD)No.22830 of 2022

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.10.2025

CORAM

THE HON'BLE MR.JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.22830 of 2022

P.Rajamohan

: Petitioner

Vs.

1.The Additional Chief Secretary to Government,
O/o. the Additional Chief Secretary,
Municipal Administration, Urban and Water Supply,
Secretariat,
Chennai – 600 009.

2.The Commissioner,
Municipal Administration,
MRC Nagar, Raja Annamalaipuram,
Chennai – 600 005.

3.The Commissioner,
Thirumangalam Municipality,
Thirumangalam,
Madurai District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 1 & 2



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to permit the petitioner to retire from the service and consequentially to disburse the retirement benefits and all other consequential benefits within the time period stipulated by this Court.

For Petitioner : Mr.S.Rajasekar
for Mr.T.Lajapathi Roy
For Respondents 1 & 2 : Mr.A.Baskaran,
Additional Government Pleader
For Respondent No.3 : Mr.A.Kannan
Standing Counsel

ORDER

This Writ Petition has been filed for a Mandamus seeking for a direction to the respondents 1 and 2 to permit the petitioner to retire from service and consequently to disburse the retirement benefits and all other consequential benefits to the petitioner within a time frame to be fixed by this Court.

2.The petitioner claims that he is innocent but despite the same, the respondents have initiated disciplinary proceedings against him and have not allowed him to retire from service. Subsequent to the filing of this Writ Petition, a charge memo was issued to the petitioner in the disciplinary proceedings and the same



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was also challenged by the petitioner before this Court in W.P.(MD)No.17539 of 2024. By order dated 30.07.2024, passed by this Court in the aforesaid Writ Petition, the charge memo came to be quashed. Learned Counsel for the petitioner would submit that in view of the quashing of the charge memo, the disciplinary proceedings having been terminated and hence, the petitioner has to be allowed to retire from service and consequently he is also entitled to the retirement benefits payable to him.

3. Learned Additional Government Pleader appearing for the respondents would submit that the criminal case registered against the petitioner in respect of very same cause of action for the disciplinary proceedings is still pending before the criminal court.

4. No prejudice will be caused to the respondents, if the petitioner is allowed to give a fresh representation in the light of the fact that the charge memo issued to him in the disciplinary proceedings has now been quashed pursuant to the order dated 30.07.2024 passed by this Court in W.P.(MD)No.17539 of 2024, permitting the petitioner to retire from service and consequently, to disburse the retirement benefits payable to the petitioner within a time frame to be fixed by this Court and a direction is issued to the



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respondents to consider the said representation on merits and in accordance with law within a time frame to be fixed by this Court.

5. For the foregoing reasons, this Court directs the petitioner to give a fresh representation to the second respondent seeking to permit the petitioner to retire from service and consequently to disburse the retirement benefits and all other consequential benefits in the light of the fact that the charge memo issued to the petitioner earlier has been quashed by the order of this Court dated 30.07.2024 in W.P.(MD)No.17539 of 2024, within a period of two [2] weeks from the date of receipt of a copy of the order. On receipt of the said representation, the second respondent shall pass final orders on the said representation on merits and in accordance with law, within a period of eight [8] weeks, thereafter.

6. With the aforesaid direction, this Writ Petition stands disposed of. There shall be no order as to costs.

30.10.2025

Index : Yes / No

Internet : Yes / No

NCC : Yes/No

MR

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ABDUL QUDDHOSE., J.

MR

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