



W.P.(MD) No.18077 of 2016

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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RESERVED ON : 27.06.2025

PRONOUNCED ON : 03.07.2025

CORAM:

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

W.P. (MD) No.18077 of 2016

and

W.M.P. (MD) Nos.9013 & 9015 of 2025

S. Chellammal,
W/o. M.Saravanan,
No.104/95E, E.B. Colony 5th Street,
Kajamalai Post,
Trichy-23.

...Petitioner

Vs.

1.The Chief Executive Officer,
TamilNadu Khadi and Village
Industries Board,
Kuralagam,
Chennai – 600 108 .

2.The Regional Deputy Director,
TamilNadu Khadi and Village
Industries Board,
Trichy.

3.The Assistant Director,
TamilNadu Khadi and Village
Industries Board,
Trichy.

... Respondents



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PRAYER in W.P.:

To issue a Writ of Certiorarified Mandamus or any other appropriate writ or order or direction in the nature of Writ, calling for the records pertaining to the impugned order passed by the 1st respondent in Letter Na.Ka-No.7800/E2(3)/2016, dated 21.07.2016, quash the same and consequently direct the respondents to grant Selection grade to the petitioner in the post of superintendent and notional promotion to the post of Assistant Director from the year 2015, and pass such further or other orders as this Court may deem, fit and proper in the circumstances of the case and thus render justice.

PRAYER IN W.M.P.(MD) No.9013 of 2025:

To dispense with the production of the original final report dated 16.04.2015 issued in respect of charge-memo dated 24.03.2002 vide proceedings in Na.Ka.No.696/ 2009/E4(1) by the 1st respondent and thus render justice.

PRAYER IN W.M.P.(MD) No.9015 of 2025:

To amend the prayer column in the above main Writ Petition in W.P. (MD)No. 18077 of 2016 as follows:

“For the reasons stated in the accompanying affidavit, it is humbly prayed that this Court may be pleased to issue a Writ of Certiorarified Mandamus or any other appropriate Writ or Order or Direction in the nature of Writ, calling for the records pertaining to the impugned charge-memos dated 18.08.2003 passed by the 1st Respondent in Na.Ka. No. 25908/E4(1)/03 and final report dated 16.04.2015 vide proceedings in



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Na.Ka.No.696/2009/E4(1) and 1st respondent Letter passed in Na.Ka.No. 7800/ E2(3)/2016 dated 21.07.2016 and quash the same as illegal and consequently directing the Respondents to grant Selection Grade to the Petitioner in the post of Superintendent and notional promotion to the post of Assistant Director from the year 2015 and pass such further or other order as this Court may deem fit and proper in the circumstances of the case and thus render justice”.

instead of

"For the reasons stated in the accompanying affidavit, it is humbly prayed that this Court may be pleased to issue a Writ of Certiorarified Mandamus or any other appropriate Writ or Order or Direction in the nature of Writ, calling for the records pertaining to the impugned order passed by the respondent in Letter.No.Na.Ka.7800/E2(3)/2016, dated 21.07.2016, quash the same and consequent direct the respondents to grant Selection Grade to the Petitioner in the post of Superintendent and notional promotion to the post of Assistant Director from the year 2015 and pass such further or other order as this Court may deem, fit and proper in the circumstances of the case and thus render Justice"

APPEARANCE OF PARTIES:

For Petitioner : M/s.Sumalatha
for M/s.Kalaiyarasi Bharathi

For Respondents : Mr.C.Rajakumar
Standing Counsel



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J U D G M E N T

Heard

2. The Petitioner, who retired on 29.02.2016 while serving as Superintendent under the 3rd Respondent, has filed the present writ petition seeking the grant of selection grade in the post of Superintendent and also notional promotion to the post of Assistant Director.

3. Upon it being revealed that two punishments were in currency pursuant to two charge memos, the Petitioner sought to amend the prayer in the writ petition. By filing W.M.P.(MD) No.9015 of 2025 on 24.04.2025, she also sought to quash the charge memo dated 18.08.2003 pertaining to an incident over 13 years old as well as the consequential orders dated 16.04.2015 and 21.07.2016.

4. It may be open to the Petitioner to challenge a charge memo that is 13 years old, even though such a challenge has been made long after her retirement from service. However, even if such a belated challenge is entertained, the fact remains that two punishments pursuant



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to the charge memos are still in currency. In the face of such continuing punishments, there can be no basis for the Petitioner to seek either the grant of selection grade or notional promotion, particularly after her retirement.

5. The writ petition is thoroughly misconceived and is liable to be dismissed. Accordingly, W.P.(MD) No.18077 of 2016 stands dismissed. There shall be no order as to costs. Consequently, W.M.P.(MD) No.9015 of 2025 is also dismissed, and the other connected Miscellaneous Petition stands closed.

03.07.2025

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Index: Yes / No
Speaking Order / Non-speaking Order
Neutral Citation : Yes / No

To

1.The Chief Executive Officer,
TamilNadu Khadi and Village
Industries Board,
Kuralagam,
Chennai – 600 108 .

2.The Regional Deputy Director,
TamilNadu Khadi and Village
Industries Board,
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DR. A.D. MARIA CLETE, J

LS

3.The Assistant Director,
TamilNadu Khadi and Village
Industries Board,
Trichy.

Pre-delivered Judgment made in

W.P. (MD) No.18077 of 2016
and

W.M.P. (MD) Nos.9013 & 9015 of 2025

03.07.2025