



W.A.(MD)No.1721 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.07.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
and
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

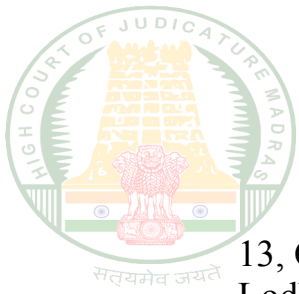
**W.A.(MD)No.1721 of 2024
and
C.M.P.(MD)Nos.13225 and 13227 of 2024**

Shankar Kumar Jha

... Appellant

Vs.

- 1.Union of India
Represented by its Secretary,
Secretary Ministry of Home affairs,
North Block, New Delhi 110 001.
- 2.The Director General of CISF
(Ministry of Home Affairs),
13, CGO Complex,
Lodhi Road, New Delhi.
- 3.The Inspector General of CISF
(Ministry of Home Affairs),
Premises No.553,
East Kolkatta Township,
Kasba, Kolkatta – 107.
- 4.The Deputy Inspector General of CISF(Legal)
(CISF Head Quarters),



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13, CGO Complex,
Lodhi Road, New Delhi.

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5.Aradhana

Assistant Inspector General of CISF
(Ministry of Home Affairs),
Premises No.553,
East Kolkatta Township,
Kasba, Kolkatta – 107.

... Respondents

Prayer : Writ Appeal filed under Clause XV of Letters Patent, to allow the writ appeal by setting aside the order passed in W.P.(MD)No.20092 of 2023 dated 20.08.2024 on the file of this Court.

For Appellant : Mr.Raghavachari, Senior Counsel,
For Mr.B.Vijay Karthikeyan.

For Respondents : Mr.K.Govindarajan,
Deputy Solicitor General of India for R1 to R4.

JUDGMENT
(By G.R.SWAMINATHAN, J.)

Heard the learned senior counsel for the appellant and the learned Deputy Solicitor General of India for the respondents.

2.The appellant is presently working Senior Commandant in CISF. He had been visited with a charge memo proposing to levy minor penalty.



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Challenging the same, the appellant filed W.P.(MD)No.20092 of 2023.

The learned Single Judge vide order dated 20.08.2024 dismissed the writ petition. Aggrieved by the same, this writ appeal has been filed.

3.The learned senior counsel for the appellant strongly contended that the rules of natural justice have been breached in this case and that materials that came into existence subsequent to his enquiry are being relied upon.

4.Even though the learned senior counsel for the appellant raised very many contentions, we are of the view that all these facts can be projected before the disciplinary authority. It is well settled that a charge memo can be interfered with only on certain very limited grounds. Those circumstances are absent in this case. It is for this reason, we decline to interfere. The dismissal of this writ appeal will not be construed as casting any aspersion on the defences of the appellant. Even while we relegate the appellant to go before the disciplinary authority, we vacate all the adverse observations and findings made against the appellant by the learned Single Judge. The disciplinary authority is called upon to



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conclude the disciplinary proceedings within a period of sixty days from the date of receipt of a copy of this judgment. The writ appeal is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

**(G.R.S. J.,) & (K.R.S. J.,)
02.07.2025**

NCC : Yes/No
Index : Yes / No
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G.R.SWAMINATHAN, J.
and
K.RAJASEKAR, J.

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