



WP(MD). No.24331 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 06/11/2025

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THE HONOURABLE MR. JUSTICE K.KUMARESH BABU

WP(MD). No.24331 of 2025
and
WMP(MD)No.19082 and 19083 of 2025

S.Balakrishnan

... Petitioner

Vs

1. The Directorate of Municipal Administration,
Santhome, Chennai-9.

2. The Regional Directorate Of Municipal Administration,
Madurai, Madurai District-16.

3. The Commissioner,
Manamadurai Municipality,
Manamadurai,
Sivagangai District.

... Respondents

PRAYER :-

Writ Petition, filed under Article 226 of the Constitution of India, praying this court to issue a Writ of Certiorari by calling for records relating to the proceedings of the 1st Respondent made in Na.Ka.No. 20442 of 2022 /C2-4, dated 19.07.2024 and quash the same.



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For Petitioner : Mr. R.Murali,
Advocate.

For Respondents : Mr.F.Deepak, for R1 and R2
Special Government Pleader

Mr.A.Kathiravan for R3
Standing Counsel

ORDER

This Writ Petition is filed to issue a Writ of Certiorari by calling for records relating to the proceedings of the 1st Respondent made in Na.Ka.No. 20442 of 2022 /C2-4, dated 19.07.2024 and quash the same.

2. Learned counsel for the petitioner would submit that the petitioner is now currently working as Manamadurai Municipalities as Manager Grade II and the next promotion avenue is Manager - Grade I / Accountant Grade I / ARO. While so, he had been issued with a charge memo on the premise that there has been certain audit objections while he was working as an assistant in Nagapattinam municipality. He would submit that the said audit slip that has been issued had been dropped by communication dated 11.12.2024 and 13.02.2025. Therefore, the



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issuance of charge memo itself is only without considering the material facts and the pendency of charge memo after the dropping of the audit slip, would serve no purpose. Therefore, he seeks the charge memo to be set aside.

Learned Special Government Pleader would submit that pending the charges, the audit slips had been dropped. Therefore, if the petitioner gives his explanation, the same would be considered and proper orders would be passed.

I have considered the submissions made by the learned counsel on either side.

A charge memo had been issued to the petitioner as early as on 27.12.2024. It is to be noted that the audit objection had been dropped on 11.12.2024 and one another came to be dropped on 13.02.2025. When the charge memo itself had been based on audit objections and when the audit objections have been dropped, there is no necessity to continue with the charge memo any further. Admittedly, the petitioner's



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name has also been excluded from the further promotion in view of the issuance of charge memo, causes prejudice to him.

Therefore, the impugned charge memo is set aside and this Writ Petition is allowed. If the petitioner is entitled to be included in the panel for promotion, his name shall also be included in the panel, as if there is no charge memo that was issued or pending on the crucial date. No costs. Consequently, connected miscellaneous petitions are closed.

06.11.2025

NCC : yes /no
Index : yes /no
Internet :yes / no

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K.KUMARESH BABU, J

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