



W.P.(MD) No.22720 of 2017

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Reserved On : 30.07.2025

Pronounced On : 19.08.2025

CORAM:

THE HONOURABLE DR. JUSTICE A.D. MARIA CLETE

W.P. (MD) No.22720 of 2017

and

W.M.P.(MD)No.19013 of 2017

K. Wellington,
S/o.K.Kosman,
IInd Grade Police No.104,
Central Prison,
Palayamkottai,
Tirunelveli.

... Petitioner

Vs.

1. The Additional Director General of Police &
Inspector General of Prisons,
C.M.D.A. Tower,
2, Gandhi Erwin Road,
Egmore, Chennai – 8.

2. The Deputy Inspector,
General of Police (Prisons),
Madurai Range,
Madurai – 16.

3. The Superintendent of Police,
Central Prison,
Madurai.

... Respondents

PRAYER in W.P.:

To issue a writ, order or Direction particularly in Nature of Writ of Certiorarified calling for the records pertaining to the proceedings of



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the 3rd respondent in No.11915/PO1/2012 dated 10.10.2012, and the same was confirmed by the 2nd respondent in his proceedings No. 2313/CA/2012 dated 13.12.2013 and consequential proceedings No. 12569/EW.1/2014 dated 21.11.2014 passed by the 1st respondent and quash the same and to pass such further or other orders as this Honourable Court may deem fit and proper in the circumstances of the case and thus render justice.

PRAYER in W.M.P:

To dispense with the production of impugned orders passed by the 3rd respondent in his proceedings No.11915/PO1/2012 dated 10.10.2012, and the same was confirmed by the 2nd respondent in his proceedings No. 2313/CA/2012 dated 13.12.2013 and consequential impugned order passed by the 1st respondent in his proceedings No.12569/EW.1/2014 dated 21.11.2014 and thus render justice.

APPEARANCE OF PARTIES:

For Petitioner : Mr.S.M.Mohan Gandhi, Advocate

For Respondents : Mr.J.Ashok
Additional Government Pleader for R1 to R3

JUDGMENT

Heard.



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2. The writ petitioner, serving as a Grade II Warder at the Madurai Central Prison, refused to perform tower duty on a particular day. When assigned the task, he instead applied for leave and absented himself. Subsequently, he was transferred to a branch prison. Following this, the 3rd Respondent framed charges against him under Rule 17(a) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules for his misconduct. After obtaining his explanation, the 3rd Respondent imposed the penalty of postponement of his increment for three years, with cumulative effect.

3. The petitioner's appeal was rejected by the 2nd Respondent, and his further revision before the 1st Respondent also met with rejection. Aggrieved by these orders, he filed the present Writ Petition. The petitioner contended that no enquiry was conducted prior to the imposition of the penalty and that, on the day in question, several other personnel were available to perform the duty. Hence, according to him, the penalty imposed by the respondents was unjustified.



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4. It must be observed that Rule 17(a) does not contemplate the holding of a formal enquiry; it merely requires an explanation from the chargesheeted official. Hence, there is no procedural infirmity in the course adopted by the 3rd Respondent. Considering that the petitioner was only subjected to a minor penalty, and that both his appeal and revision were duly examined by the higher authorities, this case does not warrant interference by invoking the extraordinary jurisdiction of this Court under Article 226 of the Constitution. Moreover, it cannot be said that the petitioner is without fault, and in a department such as prison administration, the highest standards of discipline and conduct are imperative.

5. Accordingly, the Writ Petition is dismissed. There shall be no order as to costs. Consequently, the connected WMP is also dismissed.

19.08.2025

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

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DR. A.D. MARIA CLETE, J.

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Pre-delivery Judgment made in
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