



WEB COPY



W.P.No.4660 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.01.2026

C O R A M

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.4660 of 2024
and W.M.P.No.5094 of 2024

S.Rajeswari

... Petitioner

Vs

1.The Secretary to Government,
Home Department, Secretariate
Fort St.George, Chennai-600 009.

2.The Transport Commissioner
377M+F26, Ezhilagam,
P.W.D.Estate, Chepauk, Triplicane,
Chennai-600 005.

3.The Regional Transport Officer,
Chennai(South West),
Chennai District-600 092.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the records relating to the impugned charge memo issued by the 2nd Respondent in proceedings R.No.40591/VA2/2019, Date 16.02.2024 and Quash the same.

For Petitioner : M/s.Thenmozhi Shivaperumal

For Respondents : Mr.T.M.Rajangam,
Government Advocate



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ORDER

Challenging a memo issued by the 2nd respondent under rule 17(b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1955, the present Writ Petition has been filed.

2. It is the case of the petitioner that, while she is working as Superintendent in the Regional Transport Office, Chennai (South-West), Chennai, Disciplinary Proceedings was initiated against her and accordingly a charge memo was issued by the 2nd respondent under Rule 17(b) of the Tamil nadu (discipline and appeal) Rules, 1955 dated 22.04.2022 on the ground that the petitioner had committed the offence of Bigamous Marriage with her co-delinquent one S.Muralidharan. However, the said charge memo was successfully challenged before this Court in W.P.No.13573 of 2022 and the charge memo dated 22.04.2022 was quashed by granting liberty to the competent authority to issue fresh charge memo against the petitioner in accordance with law. Accordingly, the present charge memo dated 16.02.2024 has been issued under Rule 17(b) of the Tamil nadu (discipline and appeal) rule, 1955. Aggrieved by which, the present Writ Petition has been filed.



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3. Learned counsel appearing for the petitioner submitted that the main grievance of the petitioner is that the respondents ought to have issued a charge memo under Rule 17(a) instead of 17(b) of the Tamil nadu (discipline and appeal) Rules, 1955. He further submitted that, though a larger relief has been sought for in this Writ Petition, this Court may without going into the merits of the case, issue a direction to the respondents to conclude the disciplinary proceedings pending against the petitioner.

4. Learned Government Advocate appearing for the respondents reiterated the averments made in the Counter Affidavit filed on behalf of the 2nd respondent and submitted that the charges against the petitioner are grave in nature and attract the provisions of Rule 8 of the Tamil Nadu Civil Services (Discipline & Appeal) Rules, 1955, which stipulates major penalties such as Compulsory retirement or Removal from service or Dismissal from service shall be imposed for violation of rule 19 of the Tamil Nadu Government Servant's Conduct Rules, 1973 relating to Bigamous marriage and that the present charge memo has been issued pursuant to the liberty granted by this Court in W.P.No.13573 of 2022 and therefore, the same cannot be found fault with. Accordingly, he prayed for appropriate orders.



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5. Having regard to the submissions advanced by the learned counsel appearing on either side and considering the limited relief sought for in this Writ Petition, this Court, without interfering with the impugned order, directs the respondents to conclude the Disciplinary Proceedings pending against the petitioner as expeditiously as possible.

6. Accordingly, the Writ Petition stands disposed of. There shall be no order as to costs. Consequently, the connected Miscellaneous Petition is closed.

06.01.2026

Index : Yes / No

Speaking Order / Non-speaking order

Neutral Citation Case : Yes / No

Nhs

To

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