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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2026

CORAM :

THE HONOURABLE MR. JUSTICE M. DHANDAPANI

W.P.No.7077 of 2026
and
WMP.No.7691 & 7693 of 2026

V.Rajaraman

... Petitioner

Vs

The District Collector,
Vellore District,
Vellore – 9.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorari, to call for the entire records relating to the impugned order passed by the respondent in his proceedings RC.No.PA2/9669/2010 dated 22.09.2025 and quash the same.

For Petitioner : Mr.C.Prakasam

For Respondent : Mr.S.Balamurugan
Government Advocate

ORDER

This Writ Petition has been filed to quash the impugned order passed by the respondent in his proceedings RC.No.PA2/9669/2010 dated 22.09.2025



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2. The facts of the case are as follows:

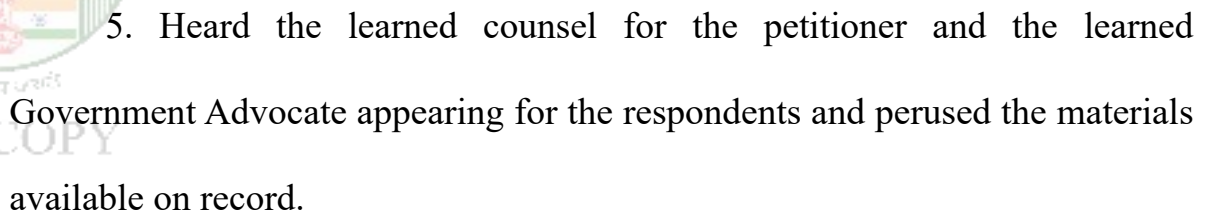
Initially, the petitioner joined the service as Rural Welfare Officer Grade – 1 in Nagapattinam District and thereafter, he was promoted as Assistant. While he was working in Small Saving Department at Vellore, he was falsely implicated in the case of Vigilance and Anti-corruption for the receipt of Rs.4,000/- from agent and hence, he was arrested on 08.12.2010. Based on the same, the respondent passed suspension order against the petitioner and the charge memo issued in the year 2017. The petitioner facing the criminal case in Spl.C.C.No.04 of 2013 which was ended in his favour. Therefore, the petitioner filed a writ petition *vide* W.P.No.34196 of 2025 and this Court disposed the same. After disposal of the writ petition, the respondent passed orders on 22.09.2025 cancelling the suspension and reinstated the petitioner into service as Assistant and thereafter, the respondent herein appointed as Enquiry Officer in the charge memo and also in the suspension order and passed orders dated 22.09.2025. Hence, the present writ petition.

3. The learned counsel for the petitioner submitted that admittedly, the alleged incident was happened in the year 2010 and the petitioner was placed under suspension on 09.12.2010 and the charge memo was issued on 02.06.2017 and the enquiry was initiated on 05.07.2017. However, the



disciplinary proceedings have not been concluded for the past 16 years. The petitioner remained under suspension for more than 15 years. The criminal case relating to the very same charges has ended in acquittal. When the criminal court has acquitted the petitioner on identical charges, the departmental proceedings cannot be continued. The respondent, having reinstated the petitioner after 15 years, cannot now proceed with the disciplinary enquiry by appointing an Enquiry Officer vide the impugned order. Hence, the impugned order is liable to be quashed.

4. Per contra, the learned Government Advocate appearing for the respondents submitted that admittedly, the charge memo dated 02.06.2017 has not been challenged before any forum. The Criminal proceedings have concluded in the year 2024. It is settled law that criminal proceedings and the departmental proceedings are distinct and operate in different fields. There is no legal impediment for the appointment of an enquiry officer to proceed with the departmental enquiry. Without challenging the charge memo, the petitioner cannot challenge the consequential order appointing the enquiry officer. Therefore, the writ petition is not sustainable.



6. The admitted facts are: a. Charge memo was issued on 02.06.2017; b. Petitioner was reinstated on 22.09.2025 after 15 years of suspension; c. By the same order dated 22.09.2025, an enquiry officer was appointed; d. Criminal case ended in acquittal.

7. The petitioner seeks to quash the proceedings dated 22.09.2025 appointing the enquiry officer, but not chosen to challenge the charge memo dated 02.06.2017, which is the foundational document for the disciplinary proceedings.

8. It is settled principle of law that acquittal in a criminal case does not automatically terminate departmental proceedings, as the standard of proof, scope and purpose of the two proceedings are different. The impugned order dated 22.09.2025 is only a consequential administrative steps to take forward the charge memo which remains unchallenged. Without assailing the charge memo, a challenge to the appointment of enquiry officer is not maintainable.



9. Though there is considerable delay in concluding the disciplinary proceedings, mere delay by itself is not a ground to quash the proceedings unless prejudice is demonstrated. The petitioner has an opportunity to raise the issue of delay before the enquiry officer and seek expeditious disposal.

10. For the above said reasons, the Courts finds no merit in the present writ petition and therefore, the same is dismissed. No costs. Consequently, connected Miscellaneous Petition is closed. No costs.

27.02.2026

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To
The District Collector,
Vellore District,
Vellore – 9.



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M.DHANDAPANI.J.,

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