



WP No. 24986 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-07-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

WP No. 24986 of 2026

P.Hemalatha
W/o.R.Mareeswaran,
No.21, Thiyarajapuram Extension,
Ranga Puram, Vellore- 632 009.

..Petitioner

Vs

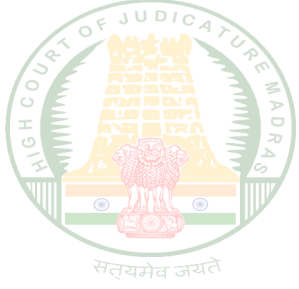
1. The Principal District Judge
Vellore District.
2. The Registrar General
High Court of Madras,
Chennai-600104.

..Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Certiorari calling for the records of impugned charge Memo issued by the 1st respondent in Dis. No.3276/2026 dated 07.04.2026.

For Petitioner : Mr.S.Gunasekar

For Respondents : Mr.E.V.Kumaresan

**ORDER****(Order of the Court was made by S.M.Subramaniam J.)**

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The writ petition on hand has been instituted challenging the charge memorandum dated 07.04.2026 issued under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules. While the writ petitioner was working as Record Clerk at Principal District Court, Vellore for the period from 02.07.2025 to 09.03.2026, certain irregularities are identified and two charges are framed against her.

2. Learned counsel for the writ petitioner Mr.S.Gunasekar would submit that the charge memorandum *per se* is untenable since the allegations are false and for procedural violations, the authority ought not to have framed charges under Rule 17(b) of the Discipline and Appeal Rules. He would urge this Court to consider the nature of allegations set out in the charge memorandum.

3. This Court is of the considered view that the charge memorandum *per se* would not constitute a ground to institute writ proceedings. No doubt, a charge memo can be challenged on limited grounds; if the charge memo has been issued by incompetent authority having no jurisdiction or allegation of malafides are raised. Even in case of raising an allegation of malafides, the

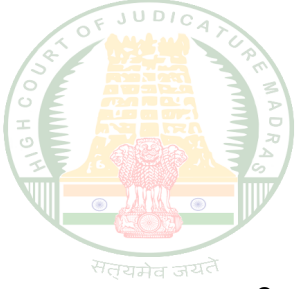


authority against whom such allegation is raised, must be impleaded as party respondent in his personal capacity.

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4. Yet another ground may be raised regarding vagueness. However, the vagueness must be established to an extent that no prudent authority can proceed with the allegations set out in the charge memo. Only in those circumstances, the High Court may interfere and in respect of the grounds raised on merits, the delinquent officer is expected to submit his explanation, and participate in the enquiry proceedings, if any ordered, for defending his case.

5. In the present case, the petitioner has already submitted his explanation and the disciplinary authority, not satisfied with the explanation, appointed an enquiry officer. Thus, the enquiry officer has to conduct the enquiry by affording an opportunity to the delinquent officer. The petitioner is at liberty to defend his case in the manner known to law. It is needless to state that both the disciplinary authority and the delinquent officer have to cooperate for early disposal of the disciplinary proceedings by avoiding unnecessary adjournments in the disciplinary proceedings. The grounds raised on merits and disputed facts relating to charges cannot be adjudicated in the present writ petition.



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6. The High Court, in exercise of the powers of judicial review cannot conduct a roving enquiry into the charges so as to find out the correctness or innocence of the delinquent officer. All such grounds are to be adjudicated by the enquiry officer and to be considered by the disciplinary authority and thereafter by the appellate authority. The power of judicial review of the High Court under Article 226 of the Constitution of India is to ensure the process through which the decision has been taken by the competent authority in consonance with the Statutes and Rules in force, but not the decision itself. Thus, this Court is of the considered view that the present writ petition challenging the charge memo is not entertainable. The writ petition stands dismissed. No costs. Consequently, connected miscellaneous petition is closed.

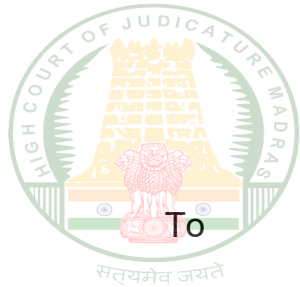
(S.M.S.,J.) (N.S.,J.)
01-07-2026

Index: Yes
Speaking order
Neutral Citation: Yes

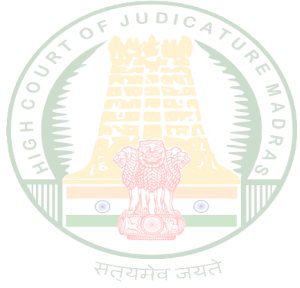
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**S.M.SUBRAMANIAM, J.
AND
N.SENTHILKUMAR, J.**

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