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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-06-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE R.SAKTHIVEL

WP No. 23662 of 2026

and

WMP Nos. 25620 & 25622 of 2026

V.Naresh
S/O.M.Venkatesan
Old No.14, New No.35
Vasantha Press Road
Adyar
Chennai-600 020

..Petitioner(s)

Vs

1. The Director
Central Leather Research Institute
Adyar
Chennai-600 020
2. The Senior controller of Administration
Central Leather Research Institute
Adyar,
Chennai-600 020
3. The Section Officer(E.II)
Central Leather Research Institute
Adyar
Chennai-600 020

..Respondent(s)

Writ Petition filed under Article 226 of the Constitution of India to call for the records of the order of termination passed by the 3rd respondent via Office Memorandum No.2(3834)/2015-EII dated 19.9.2017 and the order of the



Central Administrative Tribunal, Chennai in OA No.428 of 2018 dated 25.3.2025 quash the same and further direct the respondents herein to reinstate the petitioner in service with continuity of service and release all the benefits attached to it.

WP No. 23662 of 2026

For Petitioner(s): Mr.P.Godson Swaminathan
for M/s.Isaac Chambers

For Respondents: Mr.K.Ramana Moorthy
Senior Panel Counsel

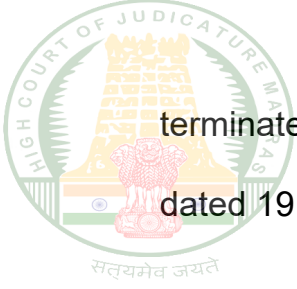
ORDER

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

The present writ petition has been instituted to assail the order of the Central Administrative Tribunal, Chennai Bench dated 25.03.2025 passed in O.A.NO.428 of 2018.

2. The original applicant before the Central Administrative Tribunal is the writ petitioner before this Court. The application was filed challenging the termination simpliciter issued on the ground of unsatisfactory services during the probation period.

3. The writ petitioner was appointed to the post of Assistant (General) Grade-III in the office of the respondent. During the probation period, he was



terminated from service in terms of Clause 13(1) of the appointment letter dated 19.08.2015. He was terminated with effect from 10.09.2017.

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4. Mr.P.Godson Swaminathan, learned counsel for the petitioner would mainly contend that Clause 13(1) of the appointment letter can be invoked only after issuing one month notice which has not been done in the present case. Therefore, the order of termination is in violation of the terms stipulated in the appointment letter. In the absence of following the procedures as contemplated in the appointment letter, the Central Administrative Tribunal ought not to have rejected the application. Thus, the present writ petition is to be considered.

5. Per contra, the learned counsel for the respondents would oppose by stating that terms of appointments are unambiguous. Earlier, office memorandums were issued to the writ petitioner extending the period of probation by granting opportunity to improve his performance. Despite the opportunity, there was no improvement and finally, the authorities had taken a decision and terminated his service by invoking Clause 13(1) of the appointment letter. The Central Administrative Tribunal considered this aspect and based on the judgment of the Hon'ble Supreme Court in respect of the employee working on probation, the application was rejected.

6. This Court has heard the rival submissions made between the parties



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7. The order of appointment dated 19.08.2015, stipulates the following conditions.

You will be on probation for a period of one year from the date of taking over charge of the post. The probationary period may be extended or curtailed at the discretion of the Competent Authority. During the period of probation, the appointment may be terminated at any time without notice and without assigning any reasons thereof. On satisfactory completion of probationary period, you will be considered for confirmation in accordance with extant rules.

Your services may be terminated as follows:

(I) During the probationary period extended or otherwise by either partly without notice and without any reasons being assigned.

(ii) At any time on one calendar months' notice in writing given to you by the council, if in the opinion of the council, you prove unsuitable for the efficient performance of your duties.

8. Pertinently, an Office Memorandum was issued by the respondent on 04.10.2016 extending the probation period of the writ petitioner by six months beyond 10.09.2016 on the existing terms and conditions, in order to provide an opportunity to improve his discipline in spirit ,taking initiative and completing task assigned on time. Again, an Office Memorandum came to be issued on 17.05.2017 extending the probation period of the writ petitioner by



six months beyond 10.03.2017. The two Office Memorandums would indicate the shortcomings in his performance during the extended period of his probation beyond 10.09.2016. The shortcomings in the performance of the writ petitioner has been stated as follows:

- 1. Non-completion of verification of service of employees assigned by the Reporting Officer.*
 - 2. Non-completion of work relating to HBA in respect of Shri M P Singh and Shri Balakrishnan*
 - 3. Income tax deductions.*
 - 4. Non-submission of leave application for availing leave/ travel abroad through Reporting and Reviewing Officer.*
 - 5. Discourteous behaviour towards his colleagues in Bills section.*
- Shri V.Naresh is hereby warned to improve his conduct and performance and complete the tasks assigned to him to the satisfaction of the Reporting Officer during the extended probation period, failing which, his services will be terminated forthwith without further extension of probation.*

9. Therefore, it is not the case as if no notice or opportunity has been given to the writ petitioner to improve his performance. Twice the period of probation was extended providing opportunity to the writ petitioner to improve his performance and the shortcomings. Despite the notice and the extension of probation period, the authorities found that there is no improvement in performance of the writ petitioner and took a final decision and terminated the



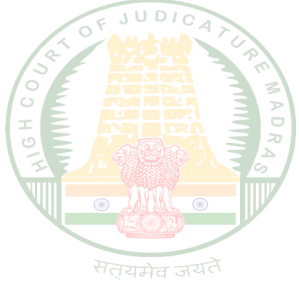
services of the writ petitioner by invoking Clause 13(1) of the appointment letter during the probation period.

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10. The Central Administrative Tribunal considered the principles, based on the judgment of the Hon'ble Supreme Court in the case of **Ajit Singh Vs. State of Punjab** reported in **(1983)2 SCC 21¹**, wherein the Hon'ble Apex Court held as follows:

“Thus, in the light of the aforesaid legal position, it can be concluded that this issue is no more res integra that an order of termination due to unsatisfactory performance of the probationer, cannot be ipso facto termed as ‘stigmatic’ or ‘punitive’ in nature. During the probation period, an employee has to be extra careful and diligent while discharging his assigned duties, so that he can successfully complete his probation period to get confirmation against the post he has been selected for and he does not give any chance or reason to his superiors to terminate his services. Any kind of insufficiency, negligence, indiscipline or misconduct can prove fatal to an employee on probation. Before the probationer is confirmed, the authority concerned is under an obligation to consider whether the work of the probationer is satisfactory or whether he is suitable for the post. If during the period of probation, the performance of a probationer is not found satisfactory or suitable for a particular job, as per the assessment of

¹ **(1983)2 SCC 21**



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the employer, he may be terminated from the service and such termination would be termed as termination 'simpliciter' and cannot be held to be 'punitive' in nature".

11. In view of the above factual as well as the legal position, this Court does not find any infirmity in respect of the order passed by the Central Administrative Tribunal. Consequently, the Writ Appeal stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

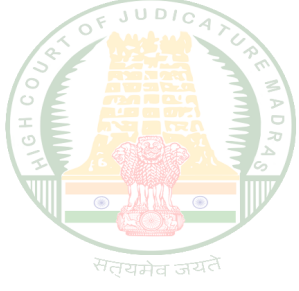
(S.M.S.,J.) (R.S.V.,J.)
24-06-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

VSI

To

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Chennai-600 020
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**S.M.SUBRAMANIAM J.
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