



WEB COPY



W.P. No.29584 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2026

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P.No.29584 of 2024

and

W.M.P. Nos.32240, 32241 and 32242 of 2024

and

W.M.P. No.3368 of 2026

Dr.Jailapdeen.S

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Petitioner

Vs

1. The Principal Secretary
Higher Education Department
Secretariat
Chennai 600 009.
2. The Director of Collegiate Education
Institute of Advanced Study in Education Campus
577 Anna Salai
Saidapet
Chennai 600 015.
3. The Regional Joint Director of
Collegiate Education
Next to Income Tax Office
Race Course
Coimbatore 641 018.
4. The Secretary
PSG College of Arts and Science
Coimbatore 641 014.



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5. The Principal
PSG College of Arts and Science
Coimbatore 641 014.

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Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to the impugned charge sheet dated 12.09.2022 issued by the fourth respondent and show cause notice of the fourth respondent dated 09.09.2024 and quash the same as illegal, discriminatory and arbitrary and consequently, direct the fourth respondent to forward the petitioner's Career Advancement Scheme (CAS) proposals to the third respondent under proceedings issued by the second respondent in Rc.No.48913/G3/95 dated 14.9.1995 within a time frame fixed by this Court.

For Petitioner : Mr.J.Abdul Basith

For Respondents : Mr.M.R.Gokul Krishnan
Additional Government Pleader
for R.R.1 to 3.

Mr.R.Bharanidharan
Standing Counsel
for R.R.4 and 5



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ORDER

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The petitioner has filed this writ petition challenging the impugned charge sheet dated 12.09.2022 and consequential show cause notice dated 09.09.2024 issued by the 4th respondent proposing the punishment of cut of two increments with cumulative effect and for a consequential direction to forward his Career Advancement Scheme (CAS) proposal.

2. Facts in brief :-

a) The petitioner was shortlisted for interview and appointed as Assistant Professor in the Department of Social Work by the 4th respondent College by order dated 18.09.2014. His appointment was subsequently approved by the 3rd respondent by proceedings dated 20.05.2016 under the BCM (M/W) category.

b) While so, pursuant to a Circular dated 14.07.2021 issued by the 5th respondent calling upon eligible faculty members to submit CAS applications, the petitioner submitted his final CAS application on 02.12.2021 along with other similarly placed faculty members.

c) Thereafter, the petitioner received a memo dated 29.04.2022 alleging that he had disrupted office activities and abstained from work on 03.03.2022. The petitioner submitted his reply on 09.05.2022 stating that he had duly signed the attendance register and had carried out his academic responsibilities without interruption to the students.



d) Subsequently, the 4th respondent issued the impugned charge sheet calling for explanation within ten working days on 12.09.2022. The petitioner submitted his detailed explanation on 22.09.2022 and also tendered an apology letter dated 22.12.2023. Again, on 06.09.2024, he submitted a further apology letter requesting the management to drop the disciplinary proceedings and to forward his CAS proposal.

e) However, the 4th respondent issued a show cause notice dated 09.09.2024 proposing the punishment of stoppage of two increments with cumulative effect. According to the petitioner, in respect of similarly placed faculty members, the disciplinary proceedings were dropped and only in his case, the proceedings were pursued. Aggrieved by the impugned charge sheet dated 12.09.2022 and the show cause notice dated 09.09.2024 issued by the 4th respondent, the present writ petition has been filed.

3. Learned counsel for the petitioner submitted that the petitioner has been serving as Assistant Professor from 2014 and his appointment has been duly approved. The allegation relates to an incident dated 03.03.2022, which has already been explained and for which the petitioner has tendered apology.

4. He further submitted that similarly placed faculty members, who were proceeded against on identical allegations, approached this Court in W.P. No.20378 of 2024 and this Court, vide order dated 28.08.2024, directed the



petitioners to submit apology letters to the 3rd respondent therein and on receipt of the same, the disciplinary proceedings were to be dropped and their CAS proposals were to be forwarded to the competent authority. By placing reliance on the said order, the learned counsel prayed that the present petitioner, being similarly situated, is entitled to identical relief and this Court may issue appropriate directions on similar lines.

5. Per contra, learned Standing Counsel appearing for the respondents 4 and 5 submitted that the charge sheet was issued on account of misconduct and that due procedure has been followed. He further contended that the petitioner was issued memo, charge sheet and show cause notice and was given adequate opportunity to submit his explanation. However, he fairly submitted that this Court may issue appropriate directions in line with the directions issued in W.P. No.20378 of 2024 and further, the petitioner may be suitably directed to submit an apology letter. On such submission, the respondents would abide the directions of this Court.

6. This Court has carefully considered the submissions made on either side and perused the materials placed on record.

7. It is not in dispute that in respect of similarly placed faculty members, this Court, vide order dated 28.08.2024 in W.P. No.20378 of 2024, issued specific directions to submit apology letters and on receipt of the same, to drop



the disciplinary proceedings and thereafter to forward their CAS proposals to the competent authority for consideration.

8. In the present case, the petitioner has already submitted apology letters and the allegation against the petitioner arises out of the same set of circumstances as that of the other faculty members. Therefore, this Court is of the considered view that the petitioner is entitled to parity of treatment.

9. In view of the above, this Court issues the following directions :-

i) The petitioner is directed to submit a fresh apology letter to the 4th respondent within a period of one week from the date of receipt of a copy of this order.

ii) On receipt of the same, the 4th respondent shall immediately drop the disciplinary proceedings initiated against the petitioner in connection with the impugned charge sheet.

iii) Thereafter, the CAS proposal of the petitioner shall be forwarded to the 2nd respondent, unless any other independent disciplinary proceedings are pending against him.

iv) On receipt of the CAS proposal, the 2nd respondent shall consider and pass appropriate orders in accordance with the applicable proceedings and



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extend the benefits to the petitioner from the date of his eligibility, if otherwise entitled.

v) The entire exercise shall be completed within a period of six weeks from the date of dropping of the disciplinary proceedings.

10. With the above directions, this writ petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

09.02.2026

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Index : Yes / No
Internet: Yes/No
Speaking Order/Non-Speaking Order
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M.DHANDAPANI, J.

vsi2

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