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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-11-2026

CORAM

THE HONOURABLE DR JUSTICE G. JAYACHANDRAN
AND
THE HONOURABLE MR.JUSTICE E.MANOHARAN

W.A.No.3343 of 2026

Case QR

CNR:{HCMA011872582026}

and

C.M.P.No.29822 of 2026

S.K.Jahen Mohan,
S/o.S.Krishnamoorthhy,
135/2, AJS Residency I Floor,
Mullai Nagar, TVMalai Road,
Gingee- 604 202. … Appellant

Vs.

1. The Chief Engineer (Distribution)
Villupuram Region,
TANGEDCO Ltd.,
No.10, Old Power House Road,
Villupuram-605 602.

2.The Superintending Engineer,
Villupuram Electricity Distribution Circle,
TANGEDCO Ltd.,
Villupuram-605602. … Respondents

Prayer: Writ Appeal has been filed under Clause 15 of Letters Patent Act, to set aside the order dated 30-04-2026 made in W.P.No.17462 of 2026 passed by the Honourable High Court by allowing this Writ Appeal.

For Appellant: A.V.Arun

For Respondents: Mr.M.Loganathan,
Standing Counsel, for TNEB

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O R D E R

(Order of the Court was made by G.Jayachandran J.)

The petitioner herein was working as Assistant Executive Engineer in TANGEDCO, was caught red-handed in a trap proceeding initiated by the DVAC while receiving a sum of Rs.5,000/- to entertain application from a farmer for shifting the service connection from open well to borewell.

2. Pursuant to the criminal prosecution under Section 7A of the Prevention of Corruption Act, 1988, the department initiated disciplinary proceedings against the writ petitioner. Citing that the charge sheet in the criminal prosecution and the charge memo in the disciplinary proceedings are identical, therefore, the petitioner contended that if the departmental proceedings are allowed to proceed further based on the charge sheet, it will gravely prejudice the petitioner.

3. The learned Single Judge, after considering the judgments rendered by by Courts in case of similar nature, particularly the judgment rendered in W.A.No.137 of 2026, has passed the following order:-

> *"3. Accordingly, the writ petition is disposed of with the following directions:*

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a) The departmental enquiry as initiated by the disciplinary authority by appointing a second enquiry officer, who already issued a summon in this regard to commence the enquiry, can proceed;

b) The writ petitioner shall give full cooperation for the conduction and completion of enquiry;

c) The enquiry shall be completed as early as possible preferably within a period of three months from the date of receipt of a copy of this order;

d) However, the enquiry officer shall keep the enquiry officer's report in a sealed cover and whenever it is called for by this Court, the same shall be produced for further action;

e) The disciplinary proceedings by way of enquiry as well as this order would no way prejudice the right of the writ petitioner to take whatever defence he want to take before the criminal court in the pending trial and it is also not an impediment for the criminal Court to proceed with the trial according to their schedule;

f) Connected miscellaneous petition is closed. There shall be no order as to costs;

h) It is needless to state that the writ petition is subject to the result of the writ appeal in W.A.No.137 of 2026."

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4. The Learned Counsel appearing for the appellant submitted that when the charges in the final report/charge sheet and the allegations in the charge memo containing imputation of charges are identical, allowing the departmental proceedings to proceed, the right of defending the criminal case will be diluted since the line of defence will be disclosed.

5. We find that the said submission is not tenable since the proof required in a criminal prosecution and the degree of proof required in departmental proceeding are entirely different and grounds of prejudice and the right to keep the line of defence close to the chest cannot enure to the benefit of prolonging the departmental proceedings endlessly.

6. The learned Single Judge, having considered the submissions made on behalf of the appellant had rightly observed that the outcome of the disciplinary proceedings shall be kept in a close sealed cover and action to be taken after the disposal of the criminal trial. In such circumstances, we find no merit in the writ appeal.

7. However, taking note of the fact that the learned Single Judge directed the disciplinary authority to complete the departmental proceedings within a

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period of three months from the date of receipt of copy of the order, which was passed on 03.04.2026, we clarify that three-months period will commence from today.

8. With the aforesaid clarification, the Writ Appeal is disposed of. There shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

(Dr. G.JAYACHANDRAN, J.) & (E.MANOHARAN J.)
04-11-2026

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

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To,

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Dr. G.JAYACHANDRAN, J.
AND
E.MANOHARAN, J.
bsm

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