



W.P(MD)No.4109 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.02.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

WP(MD)No.4109 of 2025
and
WMP(MD)No.5542 of 2025

R.Karthikeyan

... Petitioner

Vs

- 1.The Treasury Officer,
District Treasury,
Dindigul,
Dindigul District.
- 2.The Assistant Treasury Officer,
Sub Treasury Office,
Nilakottai,
Dindigul District.
- 3.The Enquiry Officer and Assistant,
Treasury Officer,
Sub-Treasury Office,
Oddanchathiram,
Dindigul District.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order dated 31.12.2024 on the file of the Respondent No. 3 and the Consequential Impugned memo in Rc.No. 7699/2021/P2 dated 28.01.2025 on the file of the Respondent No.1 and quash the same as illegal and consequently for a direction, directing the respondents to conduct denovo enquiry by conducting examination of the witness strictly following the procedure contemplated under Rule 17(B) of the Tamil Nadu Civil Services Discipline and Appeal Rules, 1955 within the time period stipulated by this Court.

For Petitioner : Mr.T.Aswin Raja Simman
For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

The petitioner, who is working as Office Assistant in the Sub Treasury Office, Nilakkottai was initially appointed on compassionate ground on 01.07.2013. He was issued with a charge memo that he has joined duty by producing a bogus SSLC certificate. A criminal case was also registered as against this



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petitioner in Crime No.838 of 2021 on the file of Nilakkottai Police Station, Dindigul, for the offence under Sections 468, 471 and 420 IPC. Challenging the charge memo, this petitioner has filed a writ petition before this Court in WP(MD) No.6377 of 2023. This Court, by its order, dated 05.04.2023 has disposed of that writ petition, with a direction to the respondents to keep the proceedings under abeyance for a period of one year from 05.04.2023. The petitioner has also filed an application in WMP(MD) No.17978 of 2024, seeking extension of time granted by this Court in WP(MD) No. 6377 of 2023 and the same was extended by another three months, by order, dated 30.06.2025. In this circumstances, the respondents have proceeded with the enquiry and have issued the second show cause notice, dated 28.01.2025, calling upon this petitioner to offer his explanation, based on the enquiry report. Aggrieved over the same, the petitioner has approached this Court.

2.The learned counsel appearing for the petitioner submits that this petitioner did not participate in the enquiry, in view



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of the orders passed by this Court in WP(MD) No.6377 of 2023.
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3.The learned Additional Government Pleader appearing for the respondents has denied the same that this petitioner has participated in the enquiry proceedings and has also answered to the queries raised by the enquiry officer.

4.This Court considered the rival submissions made and also perused the materials placed on record.

5.The petitioner, who is working as Office Assistant in the Sub Treasury Office, Nilakkottai was issued with a charge memo, pursuant to the criminal case in Crime No.838 of 2021 registered as against him. Admittedly, this petitioner got an order in WP(MD) No.6377 of 2023, dated 05.04.2023 from this Court, withholding the enquiry proceedings contemplated as against him. Subsequently, the time was also extended by order, dated 30.06.2025. This Court has granted the above relief considering the



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case of this petitioner that the case in Crime No.838 of 2021, which was registered as against this petitioner, on the file of Nilakkottai Police Station is still pending. Pendency of a criminal case is not a bar to proceed with the disciplinary proceedings as against the delinquents. The Government vide G.O(Ms)No.66, Human Resources Management (N) Department, dated 06.07.2022 has issued certain guidelines for conduct of disciplinary proceedings, pending criminal cases as against the delinquents. In fact, this Court has granted the interim relief under the impression that the criminal case registered as against this petitioner is under investigation. Now, it is reported that the investigation is likely to be completed and the case is at the final stage. Therefore, the respondents are at liberty to proceed with the disciplinary proceedings.

6. Since this petitioner was protected by way of an interim order in WP(MD) No.6377 of 2023, dated 05.04.2023, the respondents shall conduct a *de nova* enquiry, by providing an opportunity to this petitioner and conclude the same within a period



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of four months from the date of receipt of a copy of this order.

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Accordingly, this writ petition is disposed of. No costs.

Consequently, connected Miscellaneous Petition is closed.

16.02.2026

Index:Yes

Internet:Yes

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B.PUGALENDHI, J.

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Order made in
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