



W.P.(MD) No.5828 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.03.2026

CORAM

THE HON'BLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.5828 of 2023

and

W.M.P.(MD) No.7493 of 2023

K.Mohan Kumar

... Petitioner

Vs.

1.The Chairman cum Managing Director,
Tamil Nadu Electricity Board,
No.144, Anna Salai,
N.P.K.R.R.Maligai, Chennai - 600 002.

2.The Chief Engineer (Personnel),
TANGEDCO,
No.144, Anna Salai,
N.P.K.R.R.Maligai, Chennai - 600 002.

3.The Superintending Engineer,
TNEB / TANGEDCO,
Tirunelveli Electricity Distribution Circle,
Maharaja Nagar,
Tirunelveli District - 11.

4.The Enquiry Officer /
The Executive Engineer,
TNEB / TANGEDCO,
Distribution, Kallidaikurichi,
Ambasamudram Taluk,
Tirunelveli District.

... Respondents



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Prayer : Writ Petition filed under Article 226 of the Constitution of India, for issuance of a Writ of Mandamus, directing the third and fourth respondents to keep the Disciplinary Proceedings initiated against the petitioner in abeyance till the completion of criminal case filed against the petitioner in Special C.C.No.4 of 2021 pending before the Special Court for Exclusive Trial for Prevention of Corruption Act Cases, Tirunelveli in light of Judgment reported in 2016 (9) SCC 491 (State Bank of India - vs - Neelam Nag) within the time stipulated by this Court.

For Petitioner : Mr.I.Pinaygash

For Respondents : Mr.S.Arivalagan
Standing Counsel

ORDER

The petitioner herein was working as an Assistant Engineer. While working as an Assistant Engineer in the respondent Board, he was subjected to disciplinary proceedings as well as criminal proceedings simultaneously. The criminal proceedings were taken on file as Special C.C.No.4 of 2021, on the file of the Special Court for Exclusive Trial of Prevention of Corruption Act Cases, Tirunelveli.

2. As the said criminal proceedings are pending before the competent Court, the petitioner has approached this Court by filing the



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present Writ Petition seeking issuance of a Writ of Mandamus directing the third and fourth respondents to keep the disciplinary proceedings initiated against him in abeyance till the completion of the trial in the said criminal case, by placing reliance on the decision of the Hon'ble Apex Court in *State Bank of India and others vs. Neelam Nag and another*, reported in (2016) 9 SCC 491.

3. This Court, while entertaining the present Writ Petition, by order dated 17.03.2023, granted an interim stay and the same is in operation as on date. The third respondent has filed a counter affidavit resisting the claim made in this Writ Petition and has also filed a petition seeking vacation of the interim stay granted by this Court.

4. Heard Mr.I.Pinaygash, learned counsel for the petitioner and Mr.S.Arivalagan, learned Standing Counsel for the respondents.

5. The learned counsel for the petitioner fairly submits that the entire trial in the criminal case has reached finality and that the criminal case is likely to be disposed of within a period of three months henceforth. Therefore, he submits that the purpose of filing the present Writ Petition



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has been served and that there may not be any impediment for the respondent Board to proceed with the disciplinary proceedings.

6. The learned Standing Counsel appearing for the respondents also accepts the same.

7. Accordingly, the interim stay granted by this Court is vacated and this Writ Petition is disposed of, permitting the respondents to proceed with the disciplinary proceedings. However, the respondents shall not pass any final order in the disciplinary proceedings till the final disposal of Special C.C.No.4 of 2021, on the file of the Special Court for Exclusive Trial of Prevention of Corruption Act Cases, Tirunelveli. Considering the fact that the disciplinary proceedings have been stayed for the past two years, in the interest of both the parties, the petitioner is directed to cooperate for the conclusion of the disciplinary proceedings at the earliest. No costs. Consequently, the connected Miscellaneous Petition is closed.

10.03.2026

JEN
NCC : Yes / No
Index : Yes / No



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WEB COPY To

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MUMMINENI SUDHEER KUMAR, J.

JEN

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