



W.P(MD)No.8752 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 06/04/2026

CORAM

THE HONOURABLE MR. JUSTICE N.SATHISH KUMAR
and
THE HONOURABLE MR. JUSTICE M.JOTHIRAMAN

W.P(MD)No.8752 of 2026
and
WMP(MD)No.7078 of 2026

M.Ashok Kumar

... Petitioner

Vs.

1. The Hon'ble Principal District Judge,
Ramanathapuram.

2. The Hon'ble Sessions Judge,
Fast Track Mahila Court, Ramanathapuram.

3. The Hon'ble Chief Judicial Magistrate,
Ramanathapuram.

... Respondents

PRAYER :- Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, to call for the records of the impugned charge memo issued by the 2nd respondent dated 09.01.2026 and quash the same as illegal.

For Petitioner

: Mr.M.Kannan

For Respondents

: Mr.K.Samidurai, Standing Counsel



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ORDER

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(Judgment of the Court was made by **N.SATHISH KUMAR, J.**)

Challenging the charge memo issued by the 2nd respondent dated 09.01.2026, this writ petition is filed.

2. The petitioner is working as Office Assistant in the 2nd respondent Court after discharging his service in Indian Army. While so, there was a dispute between the petitioner and his relative one Balammal which resulted in registration of FIR in Crime No.124/2025 on the file of Paramakudi Town Police Station, for the offence under Sections 296(b) 118(1), 351(2) of BNSS, 2023 and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act, 2002 on the allegation that the petitioner abused and attacked the said Balammal on her right eye and stomach. The said case is pending investigation. The petitioner has also given counter complaint in this regard which was registered as Crime No. 123 of 2025 which is also pending investigation. While so, citing involvement of the petitioner in the abovesaid criminal case, impugned charge memo has been issued to the petitioner on two counts. The first



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charge is involvement in the criminal case and the second charge is that the petitioner purchased liquor bottles from Army Canteen and sold it on higher price and in a drunken mood, the petitioner is used to abuse and threaten the women stating that he is working in Court. As against the said charge memo, the petitioner has filed this writ petition.

3. The Supreme Court and this Court have consistently held that a charge memo is merely a show-cause notice initiating a disciplinary inquiry and it is not a final order, and therefore, it should not be quashed at a premature stage. Further, the charge memo or show cause notice can be quashed only on three grounds namely,

- i) charge memo tainted with mala fide intention; or
- ii) charge memo issued contrary to the relevant statutory rules; or
- iii) the authority who issued the charge memo lacks jurisdiction to issue the same.

4. In this case, none of the abvoesaid grounds is made out to interfere with the impugned charge memo. The impugned charge memo contains imputations regarding misconducts on the part of the petitioner.



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Therefore, it is for the petitioner to give explanation to the impugned charge memo and participate in the departmental enquiry. Thus, we do not find any merit in this writ petition.

5. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

[N.S.K., J.] & [M.J.R., J.]
06.04.2026

Index : Yes / No
Neutral Citation : Yes / No
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