



W.P(MD)No.14156 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 08.01.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

W.P(MD)No.14156 of 2023 and
WMP(MD) Nos.12001 & 15173 of 2023

M.Valli

... Petitioner

Vs

1.The Superintending Engineer,
O/o. the Superintending Engineer,
Trichy Distribution Circle,
Tamil Nadu Electricity Board (TANGEDCO) Limited,
Trichy - 01.

2.The District Educational Officer (Elementary Education),
Virudhachalam,
Cuddalore District.

...Respondents

(R2 is *suo motu* impleaded Vide Court Order dated.22.11.2023 in WP(MD).
14156/2023 by RVJ)

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorari, calling for the records relating to the impugned order passed by the respondent in his Memo No. 04597/0138/NiPi.II/Vu.4/Ko.Oo.Na/2023 dated 15.05.2023 and Memo No. 04597/0138/NiPi.II/Vu.



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4/Ko.Oo.Na/2023-1 dated 05.06.2023 and quash the same as illegal, arbitrary and in violation of principles of natural justice.

For Petitioner : Mr.A.Joel Paul Antony
For R1 : Mr.B.Ramanathan
Standing Counsel
For R2 : Mr.S.Vinodh
Government Advocate

ORDER

This petitioner is working as a helper in TANGEDCO. She was appointed on compassionate ground, pursuant to the demise of her father one Mayandi in the year 1989, who served as a Wireman in TANGEDCO. Though the petitioner joined duty in the year 1990, she had not produced her educational certificate to the first respondent. Therefore, she was issued with a charge memo on 30.01.2023, based on which, she was placed under suspension on 15.05.2023. Subsequently, a communication, dated 05.06.2023 was sent to the petitioner stating that the charge memo issued as against this petitioner on 30.01.2023 was dropped as the first respondent was intending to initiate departmental action for the subsequent



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production of bogus 8th standard certificate by the petitioner.

Challenging the suspension order, dated 15.05.2023 and the communication, dated 05.06.2023, the petitioner has approached this Court.

2.This Court, while entertaining this writ petition granted an order of interim stay, by order, dated 16.06.2023 and thereafter, it was extended periodically. Since it is reported that the educational certificate produced by the petitioner was found to be bogus, this Court, by its order, dated 22.11.2023, has *suo motu* impleaded the District Educational Officer (Elementary Education), Virudhachalam, Cuddalore District as a party to this proceedings. The first respondent/TANGEDCO has filed an application to vacate the interim stay granted by this Court. The newly impleaded second respondent/Educational Department has filed its counter affidavit in detail, confirming that the certificate produced by the petitioner is a bogus one.



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3.The learned counsel appearing for the petitioner submits that the order of suspension has been issued with malafides and that too after several years of the petitioner's service. He further submits that this petitioner has already completed pre-foundation course, which is equivalent to 10th standard, whereas, this petitioner has been placed under suspension as if this petitioner has relied on bogus 8th standard certificate. He further submits that while the petitioner was in service, she has requested the first respondent to grant permission to pursue B.Com degree and after scrutiny, they have granted permission, vide proceedings, dated 27.07.2007. However, due to her family situation, she could not pursue her degree course. The learned counsel further submits that after a long period of service, departmental action was initiated as against this petitioner that a bogus educational certificate has been produced by her. The learned counsel by relying upon the information obtained under the RTI Act submits that Kannusamy Middle School was closed only on 23.05.1981, however, a wrong report has been filed by the Block Educational Officer, Kammapuram that the School



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concerned has been closed even on 30.04.1975, based on which, TANGEDCO has also proceeded with the disciplinary proceedings.

4.The learned Standing Counsel appearing for the respondent TANGEDCO submits that this petitioner was appointed as Office Helper on 14.12.1990 on compassionate ground. Her services was also regularized from 14.12.1993. At the time of appointment, the petitioner has produced educational certificate, which was verified and it was returned to her. At the time of appointment, this petitioner has produced 8th standard certificate issued by the Kannusamy Aided Middle School, A.Kuravankuppam, Viruthachalam Range, dated 30.04.1981. As per the Board's instruction, the genuineness of the educational certificate of all the staff was verified, as such, this petitioner was directed to produce the genuineness of the certificates produced by her. The petitioner has not produced the same and therefore, she was issued with a charge memo for insubordination on 30.01.2023. In the meantime, the genuineness of the certificate was verified by the Superintendent



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Engineer by himself by sending a letter to the Block Educational Officer, Kammapuram. The Block Educational Officer, by his reply, dated 04.05.2023 has submitted a letter that Kannusamy Aided Middle School was closed on 30.04.1975 itself and it was taken over by the Panchayat on 01.05.1975 and thereafter the School is functioning in the name of Panchayat Union Middle School. This report of the Block Educational officer was issued only on 04.05.2023, based on which, this petitioner was placed under suspension on 15.05.2023 and the earlier charge memo issued on 30.01.2023 for insubordination for not producing the genuineness certificate was cancelled for contemplating further charge memo for producing bogus certificate at the time of appointment. The order impugned in this writ petition is the suspension order, which was issued pursuant to the report of the Block Educational Officer and the cancellation of the earlier charge memo, dated 30.01.2023. Now, a fresh charge memo, dated 24.07.2023 has been issued as against this petitioner and therefore, this writ petition is liable to be dismissed.



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

6.The petitioner, who was appointed as a helper on compassionate ground in TANGEDCO in the year 1990 has approached this Court, challenging the suspension order, dated 15.05.2023 and the subsequent communication, dated 05.06.2023, intimating about the dropping of the earlier charge memo, dated 30.01.2023. This petitioner was already issued with a charge memo on 30.01.2023 for insubordination that this petitioner has not produced the genuineness of the certificates produced at the time of appointment. However, the Superintending Engineer himself has certified with regard to the genuineness of the certificate from the Block Educational Officer on 04.05.2023. Based on the said report, the petitioner was placed under suspension on 15.05.2023. The earlier charge memo, dated 30.01.2023 issued for insubordination /for not producing the genuineness certificate was cancelled, for the purpose of contemplating a fresh charge memo and



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the same was also issued on 24.07.2023.

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7.Since the order impugned in this writ petition is the suspension order and now it is reported that a fresh charge memo, dated 24.07.2023 has been issued as against the petitioner, this Court is not inclined to entertain this writ petition.

8.Accordingly, this writ petition is dismissed, however, liberty is granted to this petitioner to work out her remedy in the recent charge memo, dated 24.07.2023. A direction is issued to the respondent TANGEDCO to conclude the departmental proceedings as expeditiously as possible, as the charge memo is of the year 2023. The grounds raised by the petitioner in this writ petition can be raised in the departmental proceedings. No costs. Consequently, connected Miscellaneous Petitions are closed.

08.01.2026

NCC: Yes/No
Index: Yes/No
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B.PUGALENDHI, J.

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