



W.A.(MD)No.647 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.05.2026

CORAM:

**THE HONOURABLE MR.JUSTICE P.VELMURUGAN
and
THE HONOURABLE MR.JUSTICE C.KUMARAPPAN**

**W.A.(MD)No.647 of 2026
and C.M.P.(MD)No.6181 of 2026**

S. Byju Nizeth Paaul

... Appellant

Vs

1. The Executive Committee,
CSI Kanyakumari Diocese,
71A, Diocesan Office,
Dennis Street,
Nagercoil - 629 001,
Rep. by its Chairman / Bishop
2. The Vice President,
CSI Kanyakumari Diocese,
71A, Diocesan Office,
Dennis Street,
Nagercoil - 629 001.
3. The Convenor,
Diocese Employment Bureau (DEB),
CSI Kanyakumari Diocese,
71A, Diocesan Office,
Dennis Street,
Nagercoil - 629 001.



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4. The Regional Joint Director
of Collegiate Education,
Tirunelveli Region,
Tirunelveli.

... Respondents

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent against the order passed by this Court in WP(MD). No.11708 of 2026, dated 21.04.2026.

For Appellant : Mr.M.Vasanthakumar

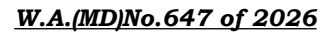
For Respondents : Mr.S.Meenkashi Sundaram,
Senior Counsel
for Mr.G.Sailendra Babu for R1
Mr.S.C.Herold Singh for R3

JUDGMENT

(Judgment of the Court was made by P.VELMURUGAN, J.)

This Writ Appeal is filed challenging the order passed by the learned Single Judge in WP(MD). No.11708 of 2026, dated 21.04.2026.

2. The appellant, who is the writ petitioner, filed the above writ petition seeking a direction to the respondents to consider his objection/representation dated 10.04.2026 against the report of the



The learned Single Judge, recording the undertaking of the 1st respondent that the appropriate authority shall issue a second show cause notice in accordance with the CSI Constitution, disposed of the Writ Petition Aggrieved by the said order, the appellant has filed the present Writ Appeal.

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4. The learned Senior Counsel appearing for the first respondent would submit that the learned Single Judge has rightly observed that the appellant cannot submit any representation prior to the issuance of a second show cause notice or consideration of the enquiry report by the disciplinary authority. The appellant, without awaiting the second show cause notice, has submitted a representation. He would further submit that once an Enquiry Officer is appointed and the enquiry report is submitted to the disciplinary authority, it is for the said authority to furnish the enquiry report to the delinquent officer and call for his explanation by way of a second show cause notice. Thereafter, it is open to the delinquent to submit his representation based on the enquiry report, and it is for the disciplinary authority to consider the same and pass final orders. If aggrieved by the final order passed by the disciplinary authority, the delinquent is at liberty to work out his remedy in accordance with law by challenging the same.

5. He would further submit that this Court had appointed Hon'ble Mr. Justice V. Bharathidasan (Retd.), Madras High Court, as Enquiry Officer, who, after conducting the enquiry, submitted his report. This Court also directed the disciplinary authority to proceed further in



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accordance with law. However, without awaiting issuance of the second show cause notice, the appellant has filed the writ petition. Therefore, the learned Single Judge has correctly observed that the appropriate authority shall issue a second show cause notice in accordance with law and hence, prays for dismissal of this Writ Appeal.

6. We have perused the entire materials available on record.

7. A perusal of the records reveals that the disciplinary authority has not furnished the enquiry report to the delinquent nor called for his further explanation by way of a second show cause notice. Therefore, the representation made by the appellant is premature, and the learned Single Judge has rightly made the observations and disposed of the writ petition. In view of the above, this Court finds no ground to interfere with the order passed by the learned Single Judge. Hence, the writ appeal is liable to be dismissed.

8. Accordingly, this writ appeal is dismissed. The disciplinary authority is directed to furnish the enquiry report to the appellant and call for his further representation/explanation by issuing a



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second show cause notice. On receipt of the same, the appellant shall submit his representation to the disciplinary authority. Upon receipt of such representation, the disciplinary authority shall proceed further in accordance with law and pass final orders. The entire exercise shall be completed within a period of three months from the date of receipt of a copy of this order. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

(P.V., J.) (C.K., J.)
06.05.2026

Index : Yes / No
NCC : Yes / No
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To

The Regional Joint Director
of Collegiate Education,
Tirunelveli Region,
Tirunelveli.



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P.VELMURUGAN, J.
and
C.KUMARAPPAN, J.

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