



WP.(MD)No.21391 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED : 07.01.2026

CORAM :

THE HON`BLE MR.JUSTICE B.PUGALENDHI

WP.(MD)No.21391 of 2024

and

WMP.(MD)Nos.18104 of 2024 & 4111 of 2025

H.Lakshmanan

... Petitioner

Vs.

1.The State of Tamil Nadu

Rep by its Additional Chief Secretary

Labour Welfare and Skill Development Department

Secretariat, Chennai.

2.The Commissioner of Employment and Training

O/o Commissioner of Employment and Training

Alanthur Road, Guindy,

Chennai-600 032.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorarified Mandamus, to call for the records relating to the impugned charge memo passed by the second respondent vide his proceedings in Na.Ka.No.2976/Aapa2/2022-1 dated 02.01.2024 and quash the same as illegal and consequently to direct the first respondent to include the name of the petitioner in the temporary panel list of



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Principal/ Assistant Direct or Training fit for Post of Deputy Director of Training / Deputy Apprentice Advisor / Deputy Director / Principal for the year 2022-2023 within a time stipulated by this Court.

For Petitioner : Mr.H.Mohammed Imran,
for M/s.Ajmal Associates

For Respondents : Mr.S.Vinodh,
Government Advocate.

ORDER

The petitioner has filed this writ petition challenging the charge memo dated 02.01.2024 issued by the second respondent.

2.The learned counsel for the petitioner submits that the petitioner is working as Principal in the Government ITI, Radhapuram, Tirunelveli District. He was issued with charge memo dated 02.01.2024 that one Sivasubramanian, Accountant of ITI, has caused embezzlement of the Government money to his account and the petitioner, as a Principal has failed to monitor the



same. The petitioner has challenged the charge memo in this writ petition on the ground that for the alleged occurrence taken place in the year 2016, charge memo was issued on 02.01.2024, after a period of 7 years and therefore, the charge memo is liable to be rejected on the ground of laches. The learned counsel for the petitioner, by referring to the proceedings of the Special Commissioner, Employment Training, Chepauk, Chennai, in proceedings No.Plan.1/12125/98 dated 27.02.1998, submits that duties and responsibilities have been fixed as against the Administrative Officer as per Government Orders in G.O.Ms.No. 243, Employment Services Department dated 28.10.1985 and G.O.Ms.No.203, Labour and Employment Department, dated 10.10.1991, as under:-

“As per Government Orders 2nd and 3rd cite, the purpose of creating the post of Administrative Officer in Industrial Training Institutes is to relieve the Principals of Industrial Training Institutes from the heavy burden of administrative and financial matters and enable them to devote more time on the training programme so as to improve the quality of training.”



Therefore, according to the learned counsel for the petitioner, the Accounts Officer is responsible for the expenditure and the Principal has been relieved from the responsibilities. While so, the petitioner cannot be held responsible for the embezzlement caused by the Accountant. He further submits that the petitioner has served as Principal from 2015 to 2017. The charge memo has been issued as against the petitioner's predecessor, who served as Principal as well as his successor, who served as Principal. Both the Principals have been exonerated from the charges that they are not responsible. However, the charge memo is proceeded as against the petitioner.

3.This Court has considered the submission made on either side and perused the available records.

4.Though the petitioner has made out a case, the impugned order is only a charge memo. The grounds raised by the petitioner can also be appreciated by the enquiry officer during



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enquiry. Therefore, this writ petition is closed with liberty to the petitioner to offer his explanation to the enquiry officer. The enquiry officer has to take a call on the charges levelled, by considering the proceedings dated 27.02.1998 and complete the disciplinary proceedings, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

07.01.2026

NCC : Yes/No
Index : Yes/No
Internet:Yes
gns

To

1.The Additional Chief Secretary
Labour Welfare and Skill Development Department
Secretariat, Chennai.

2.The Commissioner of Employment and Training
O/o Commissioner of Employment and Training
Alanthur Road, Guindy,
Chennai-600 032.



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