



W.A.(MD)No.758 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **01.06.2026**

CORAM:

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

W.A.(MD)No.758 of 2026

- 1.The State of Tamil Nadu,
Rep. By its Principal Secretary to Government,
School Education Department, Secretariat,
Chennai.
 - 2.The Commissioner of School Education,
O/o.Commissioner of School Education,
DPI Compound, College Road,
Chennai-6.
 - 3.The Joint Director of School Education (Personal),
O/o.Joint Director of School Education,
DPI Compound, College Road,
Chennai-6.
 - 4.The Chief Educational Officer,
O/o.The Chief Educational Officer,
Sivagangai District.
 - 5.The Additional Chief Educational Officer,
O/o.The Chief Educational Officer,
Thallakulam, Madurai.
- ...Appellants

Vs.

M.Senthamil Selvan

...Respondent



W.A.(MD)No.758 of 2026

PRAYER:- Writ Appeal – filed under Clause 15 of the Letters Patent, to set aside the common order passed in W.P.(MD)No.2420 of 2022 dated 20.11.2024.

For Appellants : Mr.B.Saravanan
Senior Counsel
for Mr.M.P.Senthil
Counsel for Government of Tamil Nadu
For Respondents : Mr.M.Mohammed Imran
for M/s.Ajmal Associates

JUDGMENT

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

The present writ appeal has been filed challenging the order passed by the learned Single Judge whereby the punishment imposed upon the writ petitioner pursuant to disciplinary proceedings was set aside.

2.The writ petitioner was issued with a charge memo for three charges, namely, (i) unauthorized absence for a period of 12 days; (ii) conducting an audit meeting without obtaining prior permission; and (iii) failure to submit the audit report within the stipulated time. Upon completion of the enquiry, the Enquiry Officer found that Charge Nos.1 and 3 were not proved and held only Charge No.2 to be proved. However, the disciplinary authority imposed the punishment of stoppage of increment for a period of two years without cumulative effect, taking



W.A.(MD)No.758 of 2026

WEB COPY

into account Charge Nos.2 and 3. Aggrieved thereby, the writ petitioner approached this Court by filing the writ petition.

3.The learned Single Judge finding that there are no guidelines whatsoever available mandating the Audit Officer to obtain prior permission, held that the punishment imposed could not be sustained. It was further held that though charge Nos.1 and 3 are not proved, without any contrary materials available in the enquiry report, a different view has been taken by the disciplinary authority and punishment has been imposed. Accordingly, quashed the punishment imposed by the disciplinary authority. Aggrieved by the said order, the present writ appeal is filed by the State.

4.The learned counsel for the appellant submits that the Disciplinary Authority is empowered to take a different view on the charges framed as against the delinquent as against the findings of the Enquiry Officer.

5.Heard the learned counsel appearing on either side and perused the materials placed on record.



W.A.(MD)No.758 of 2026

WEB COPY

6.We are of the view that when the Enquiry Officer himself found that charge Nos.1 and 3 are not proved, without any valid materials, the disciplinary authority imposed the punishment. Of course, the disciplinary authority is empowered to take a different view based on the materials, though charges are held as not proved. However, such view can be taken and punishment can be imposed, only when contrary materials are available in the enquiry report. However, in this case, in the absence of such valid materials, the disciplinary authority has imposed punishment.

7.We therefore, find no infirmity in the order passed by the learned Single Judge in quashing the punishment imposed imposed by the disciplinary authority. Accordingly, this writ appeal is dismissed. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

[N.S.K., J.] & [M.J.R., J.]
01.06.2026

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W.A.(MD)No.758 of 2026

**N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.**

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W.A.(MD)No.758 of 2026

01.06.2026