

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Reserved on

19.08.2026

Pronounced on

28.08.2026

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CORAM

THE HON'BLE MR.JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE KRISHNASWAMY GOVINDARAJAN

WA No. 3381 of 2024

AND

CMP No. 26265 OF 2024

1. Tamil Nadu Cements Corporation Limited
(A Govt. of Tamil Nadu Undertaking),
Rep by its Managing Director,
L.L.A.Building, 735, Anna Salai,
Chennai-600 002
Now at
5th Floor, Aavin Illam, 3-A,
Pasumpon Muthuramalingam Salai, Nandanam,
Chennai – 600 035.

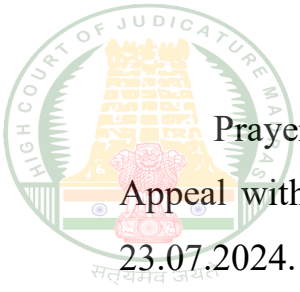
2. The Deputy General Manager(T)/
Unit Head Ariyalur Cement Works
Tamil Nadu Cements Corporation Limited
Ariyalur Cement Factory,
Ariyalur District-621 729
Tamil Nadu

..Appellant(s)

Vs

K. Senthilkumar
S/o. K. Kaliyan,
B-7, Arasu Nagar Colony,
Ariyalur Cements Works,
Ariyalur – 621 729.

..Respondent(s)



Prayer: Writ Appeal filed under Clause 15 of Letters Patent, to allow the Appeal with costs by setting aside the order passed in WP No.7260 of 2021 dated 23.07.2024.

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For Appellant(s): Mr.K.Krishnan

For Respondent(s): Mr.C.K.Chandrasekhar

Judgment

Krishnaswamy Govindarajan, J.

The present writ appeal arises out of the order dated 23.07.2024 passed in WP.No.7260 of 2021. The writ appeal was filed by the respondents in the writ petition.

2. The respondent herein filed the writ petition praying to call for the records relating to the proceedings of the second respondent vide his proceedings ACW/PL-1/2021 culminating in his order dated 12.03.2021 and quash the same.

3. It is the case of the writ petitioner/respondent herein that he was appointed as Assistant Manager (Mines) in the 1st appellant/Corporation and was subsequently promoted to the post of Deputy Manager (Mines) through proceedings dated 09.05.2018. The probation in the cadre of Deputy Manager (Mines) was also declared. While so, all of a sudden, the second appellant issued proceedings dated 12.03.2021, reverting the petitioner from the post of Deputy Manager (Mines) to the post of Assistant Manager (Mines) on the ground that First-Class Mines Manager's



Certificate awarded to the petitioner was cancelled and to that effect, a communication was received from the Secretary, Board of Mining Examination, through e-mail dated 11.04.2020. This impugned order was challenged on the ground that the principles of natural justice were not followed and all of a sudden, he was reverted to the post of Assistant Manager (Mines).

4. A detailed counter-affidavit was filed on behalf of the appellants/Corporation, stating that a reversion had taken place on the basis of communication through e-mail dated 11.04.2020 received from the Secretary, Board of Mining Examination.

5. The learned Single Judge, who dealt with the writ petition, has held as under in paragraph 4:

“In such circumstances, this Court is of the considered view that the impugned order dated 12.03.2021 is liable to be set aside only on ground of violation of principles of natural justice. Accordingly, the same is set aside. The respondents are directed to permit the petitioner to continue as Deputy Manager (Mines) with all consequential benefits. However, it is open to the respondents to take appropriate action against the petitioner in accordance with the law.”

6. Aggrieved by the aforesaid order, the present writ appeal has been filed.



7. We heard the learned counsel appearing for the appellants, as well as the

learned counsel appearing for the respondent.

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8. The writ petition was allowed and the respondents were directed to permit the petitioner to continue as Deputy Manager (Mines) with all consequential benefits. However, there was an e-mail communication dated 11.04.2020 by the Secretary, Board of Mining Examination, informing the corporation that First-Class Mines Manager's Certificate awarded to the writ petitioner was cancelled. The abovesaid certificate is one of the qualifications required for holding the post of Deputy Manager (Mines). That being the case, the further order allowing the writ petitioner to continue as Deputy Manager (Mines), pending inquiry, is in a way against the qualification prescribed for Deputy Manager (Mines).

9. In view of the same, we set aside the order passed in WP.No.7260 of 2021 dated 23.07.2024. Consequently, we modify the order of the writ court by directing the appellants to pass appropriate orders in respect of reversion after giving an opportunity to the writ petitioner.

10. Pending inquiry, the writ petitioner may continue as Assistant Manager (Mines) and, in case he succeeds in the inquiry, he will be entitled to the promotion from 09.05.2018.



11. With this modification, the writ appeal stands disposed of. Consequently,
the connected Miscellaneous Petition is closed. No costs.

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(S.M.S.,J.) (K.G.R.,J.)
28-08-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
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S.M.SUBRAMANIA Iyer J.
AND
KRISHNASWAMY GOVINDARAJAN J.

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Order made in WA No. 3381 of 2024

28-08-2026