



WEB COPY

W.A.No.837 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-04-2026

CORAM

**THE HON'BLE MR JUSTICE R. SURESH KUMAR
AND
THE HON'BLE MR.JUSTICE N.SENTHILKUMAR**

W.A.No. 837 of 2026

K.Mathaiyan

..Appellant

Vs

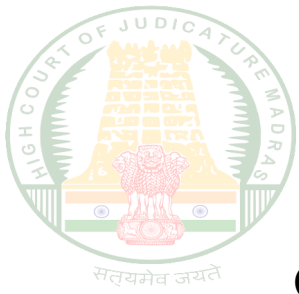
1. The Secretary,
Union of India,
Department of Fertilizers,
Ministry of Chemicals and Fertilizers,
Room No. 217-A Shastri Bhavan
New Delhi - 110001.
2. The Chairman and Managing Director (CMD),
Madras Fertilizers Ltd. (MFL),
Manali, Chennai - 600 068.
3. The General Manager (P & A),
Madras Fertilizers Ltd. (MFL),
Manali, Chennai - 600 068.
4. The Disciplinary Authority
(The Director Technical)
Madras Fertilizers Ltd. (MFL)
Manali, Chennai 600 068.

..Respondents

PRAYER: Appeal filed under Clause XV of Letters Patent to set aside the order dated 01.12.2025 made in W.P.No.822 of 2024 by allowing the above writ appeal.

For Appellant :

Mr.L.Chandra Kumar
for Mr.K.Karthik Jagannath



ORDER

(Order of the Court was made by R.SURESH KUMAR, J.)

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We have heard Mr.L.Chandrakumar, learned counsel appearing for the appellant who was the writ petitioner before the writ Court who has been selected and appointed to the post of Assistant (Liaison) Grade-IV at the respondent Organisation called 'Madras Fertilizers Limited' (MFL) in the year 2011 which is a permanent post. After due selection, he had been selected and appointed and he has been successfully completed the probation period also. Therefore, he became the permanent employee of the Organisation against whom, after a decade, some proceedings have been initiated to verify the procedure adopted by the selection authorities as well as the language skill, i.e., Triple Language Skill of the appellant / writ petitioner and ultimately, it seems that, a committee overlooked has found something against the employee / writ petitioner, that report has not been served on the writ petitioner but has been superseded and based on which, impugned show cause notice has been issued dated 27.12.2023 directing the petitioner to show cause why his appointment should not be cancelled or his appointment should not be terminated.

2. It is a settled legal proposition in service *jurisprudence* that, if at all any employee has been selected and appointed on regular basis and has completed the probation and was declared so, he became the permanent



employee of the Organization against whom if any disciplinary action has to be taken, definite charge has to be framed and enquiry be conducted. However, in the present case, behind the back of the petitioner, it seems that, the very method of selection itself was found to be incorrect and accordingly, after twelve years, action seems to have been initiated by issuance of show cause notice.

3. Normally, this Court would not interfere with the show cause notice, but here in the case in hand, the very jurisdiction of the third respondent who issued show cause notice which was impugned before the writ Court itself is doubtful one and the same having not been considered in proper prospective by the learned Judge while passing the impugned order, we are inclined to entertain this writ appeal, hence it is admitted.

4. Issue notice to the respondents returnable in four weeks. Private notice is also permitted.

5. Post the matter after four weeks.

(R.S.K., J.) (N.S., J.)
06-04-2026
(1/3)

vji



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To

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**R.SURESH KUMAR, J.
AND
N.SENTHILKUMAR, J.**

vji

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(1/3)**