



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.03.2016

CORAM:

THE HON'BLE MR.JUSTICE S.MANIKUMAR
AND
THE HON'BLE MR.JUSTICE C.T.SELVAM

W.A.(MD)No.497 of 2016
and
CMP.(MD)No.3525 of 2016

1. The Agricultural Production Commissioner and
Principal Secretary to Government,
Agricultural (AA-2) Department,
Secretariat, Chennai - 600 009.

2. The Deputy Director of Horticulture,
Kodaikanal,
Dindigul District.

.. Appellants

Vs.

N.Thangavelu

.. Respondent

PRAYER: The Writ Appeal is filed under Clause 15 of Letters Patent against the order of this Court, dated 08.02.2012 in W.P.(MD) No.1536 of 2011.

Prayer in WP(MD). 1536/ 2011 :

Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a WRIT OF CERTIORARI, to call for the records of the first Respondent relating to Government Letter No.7791/AA-2/2006-22 dated 10-11-2010 and quash the same.

For Appellants : Mr.A.K.Basakarapandian

JUDGMENT

(The Judgment of the Court was delivered by
S.MANIKUMAR, J.)

Though Mr.A.K.Bhaskarapandian, learned Special Government Pleader has assailed the correctness of the order, made in W.P. (MD)No.1536 of 2011, dated 08.02.2012, on various ground, this Writ Court has considered the orders passed in similar circumstances and accordingly quashed the charge memorandum issued



after 10 years from the date of the alleged incident.

2. Reference can also be made to the decisions of the Hon'ble Division Bench of this Court in **W.A. (MD) No. 403 of 2012 (Agricultural Production Commissioner and Secretary to the Government, Agriculture (AA II) Department, Chennai** and in **W.A. (MD) No. 1135 of 2012 (Special Commissioner and Director of Agriculture, Chepauk, Chennai and the Joint Directors of Agriculture, Madurai and Thanjavur)**, on the same issue, whereby the orders quashing the charge memorandums, issued to others, have been sustained.

3. Following the earlier orders, the instant appeal is dismissed. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/-

Assistant Registrar (P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Agricultural Production Commissioner and
Principal Secretary to Government,
Agricultural (AA-2) Department,
Secretariat, Chennai - 600 009.
2. The Deputy Director of Horticulture,
Kodaikanal,
Dindigul District.

RJ2

TE/AN-MP/ : 22/04/2016 : 2P/3C

Judgment delivered in
W.A. (MD) No. 497 of 2016
and
CMP. (MD) No. 3525 of 2016
31.03.2016