

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22-08-2017

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.21234 of 2015

And

M.P.No.1 of 2015

Mr.G.Raveendrababu

... Petitioner

Vs.

1. The District Collector,
Vellore District,
Vellore.
2. The Additional Director of Survey and
Land Records (I/c),
Chepauk,
Chennai-600 005.
3. The Regional Director of Survey and Land
Records,
Chepauk,
Chennai-600 005.
4. The Assistant Director,
Department of Survey and Land Records,
Vellore-9.

... Respondents

This Writ Petition is filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for all the records pertaining to the Charge memo issued by the fourth respondent in proceeding No.Na.Ka.A6/2294/2015 dated 14.5.2015 and quash the same and consequently direct the respondents to reinstate the petitioner into service with all consequential service benefits till 30.6.2015 and to permit the petitioner to retire and settle all the retirement benefits.

For Petitioner : Mr.N.Nithianandam

For Respondents : Mr.S.Gunasekaran,
Additional Government Pleader

O R D E R

A charge memo issued against the writ petitioner by the fourth respondent in proceedings dated 14.5.2015 under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, is under challenge in this writ petition.

2. The writ petitioner is holding the post of Deputy Inspector of Survey and Land Records and on account of certain allegations, departmental disciplinary proceedings are initiated against the writ petitioner under Rule 17(b) of the Discipline and Appeal Rules in proceedings dated 14.5.2015.

3. The learned counsel appearing for the writ petitioner states that though the writ petitioner was placed under suspension in proceedings dated 24.4.2015 by stating that he was arrayed as an accused in the criminal case registered by the Department of Vigilance and Anti-Corruption. Even at the time of filing of the charge sheet, the name of the writ petitioner is not found. However, the charge memo itself is under challenge in this writ petition and it is left open for the writ petitioner to submit his explanations/objections stating all these factors along with the supportive documents and evidences to the Competent Authorities for consideration.

4. This Court, at this stage, cannot consider the merits and the demerits of the allegations mooted out against the writ petitioner in the impugned charge memo dated 14.5.2015. A charge memo cannot be challenged on merits and the disciplinary proceedings initiated against the writ petitioner is to be allowed to continue and a logical conclusion is to be arrived at.

5. A charge memo can be challenged only on exceptional grounds and no writ can be issued in a routine manner in this regard. Thus, the grounds raised in this writ petition on merits deserves no further consideration. The writ petitioner is at liberty to submit all his explanations/objections in this regard to the Competent Authorities and prove his innocence before the enquiry proceedings.

6. In this view of the matter, no further adjudication on the grounds raised in this writ petition is required to be considered. Accordingly, the writ petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CO)

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Svn

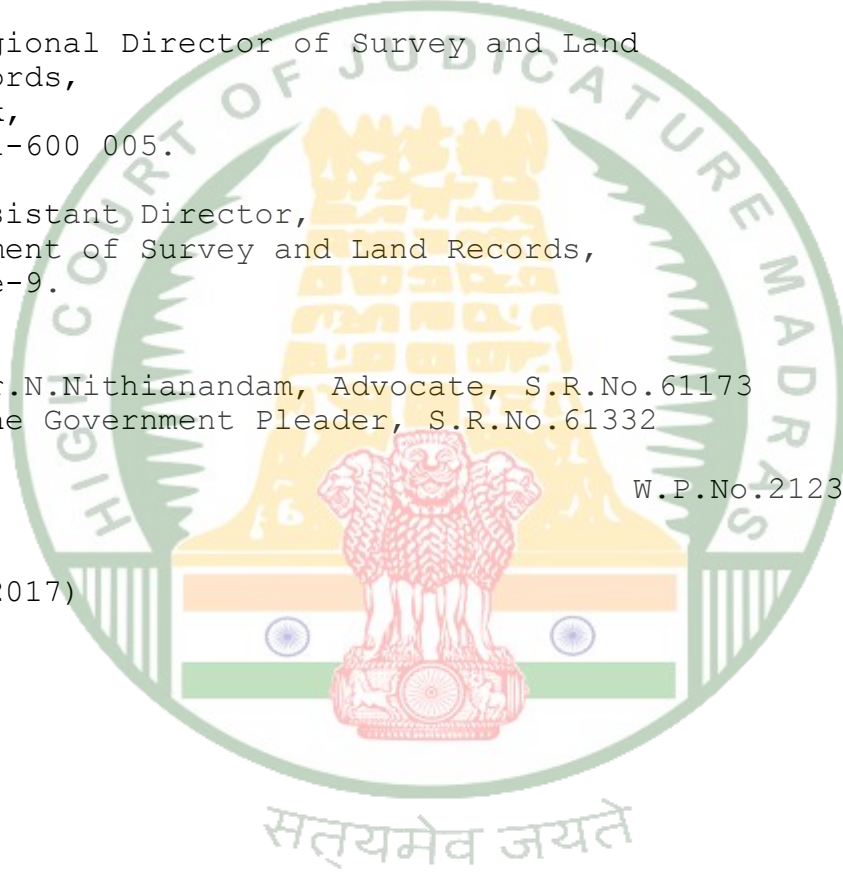
To

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Chepauk,
Chennai-600 005.
4. The Assistant Director,
Department of Survey and Land Records,
Vellore-9.

+1cc to Mr.N.Nithianandam, Advocate, S.R.No.61173
+1cc to the Government Pleader, S.R.No.61332

W.P.No.21234 of 2015

GJ II(CO)
CA(06/09/2017)



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