

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Orders Reserved on : 22.06.2018	Order Pronounced on : 26.06.2018
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CORAM:

THE HON'BLE Dr.JUSTICE S.VIMALA

Writ Petition No.44110 of 2016

Dr. N.Dhanapal

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. by the Principal Secretary to Government,
Tourism, Culture and Religious Endowments
Department (i/c), Secretariat, Chennai - 9
2. The Commissioner,
Hindu Religious and Charitable Endowments,
College Road, Nungambakkam,
Chennai - 34
3. The Enquiry Officer, Additional Commissioner (Enquiry),
Hindu Religious and Charitable Endowment,
College Road, Nungambakkam,
Chennai - 34

... Respondents

Prayer:-

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for the records on the file of the first respondent in his proceedings in Kadidha een.5463/A.Nee2-2/2016-2, dated 25.11.2016 and the report of the third respondent / Enquiry Officer in her proceedings in Na.Ka.No.9/2014 BC, dated 28.04.2016 and to quash the same.

For Petitioner : Mr.R.Singaravelan, Senior Counsel
for M/s.M.Srividhya

For Respondents : Mr.P.H.Arvind Pandian,
Additional Advocate General

O R D E R

Whether initiation of unduly belated disciplinary proceedings, which is likely to cause prejudice to the delinquent, would be ground for quashing the disciplinary proceedings.

When a decision is taken by a statutory committee consisting of five members, (be it quasi-judicial in nature or administrative in nature), whether it is justifiable to initiate disciplinary proceedings only against one individual alone, when there was no specific or extra allegations against him, and if that is done, whether that would amount to malafide.

When the enquiry reports reveal that the report is based on a) no evidence at all, b) consideration of irrelevant materials which ought not to have been considered and c) non consideration of relevant materials, which ought to have been considered, whether that would be a ground for the court to quash the report.

These are the pertinent issues raised in this Writ Petition.

2. The petitioner has filed this writ of certiorari seeking to quash the report of the third respondent / enquiry officer dated 28.04.2016 giving a finding that the charges against the petitioner remains proved and the proceedings of the first respondent dated 25.11.2016, agreeing with the findings of the enquiry officer and to pass appropriate orders, contending that those reports are based on no evidence and based on non consideration respectively and therefore, both the report and the resultant proceedings are liable to be quashed.

3. The charges (9 in numbers) and the additional charges (4 in numbers) were framed against the petitioner, on 13.06.2013 and 07.10.2013, respectively. At that point of time, the petitioner was working as the Joint Commissioner at Sivagangai and the charges were framed under Rule 17 (b) of the Tamil Nadu Civil Servants (Discipline and Appeal) Rules.

4. The summary of essential charges and the explanation submitted by the petitioner read as under:

DATE	Particulars and Reference of Document
13.06.2013	Charge memo, bearing reference Naka No.23785/2013/B 1 Charge 1: Falsely stated to have travelled in AC class along with family while travelling only in ordinarily class and claimed TA & LTC and had caused loss to the government. Allegation said to have travelled on 20-03-2013 from Madurai to Chennai and 24-03-2013 from Chennai to Madurai in AC class. The further allegation is that the delinquent had claimed the amount alleging that he had travelled from Sivaganga to Chennai and from Chennai to Sivaganga. Explanation: Madurai to Chennai is only an en-route from Sivaganga to Chennai and the same is not a totally different place. The delinquent for the past 6 years has not availed any LTC as he has not travelled with his family or claimed any amount in this regard. The contra allegations in the charges unfounded and false. The TA bill is claimed in respect of the travel by the delinquent in discharge of his official duties. The tentative programme schedule for the said period 20-03-2013 to 24-03-2013 reveals other programs which were cancelled on account of Arabia meeting which is conducted in Chennai at the CM's office. On account of the aforesaid exigency the travel was undertaken by the delinquent on 20-03-2013 from Sivaganga to Chennai. Further on 21-03-2013 a review meeting was attended at CM cell at Chennai as scheduled. The next day 22-03-2013 the delinquent had attended the head office at Chennai-Nugambakkam. The delinquent had returned on 24-03-2013 from Chennai via Madurai to Sivaganga. The claim has since been made by the delinquent for travel on the aforesaid period from Sivaganga to Chennai in Chennai to Sivaganga and that Madurai is only en route to the aforesaid travel. The travelling allowance is based upon actual travelling for official purpose and the same is bound by the records submitted. Contra imputations in respect of the aforesaid charge are apparently unfounded and baseless.

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	The travelling allowances claimed only in respect of the travel from Sivaganga to Chennai and return from Chennai to Sivaganga. The staying/boarding expenses in Chennai is never claimed by the delinquent throughout to service in the Department from the inception till date. The same would reveal the genuineness of the claim and the contra allegations are all denied. The TA bill in respect of the alleged travel has been sent to the Commissioner's office on 08-04-2013, the said TA bill is been scrutinised by the Senior Accounts Officer in the Department and the same is countersigned by a delegated functionary of the Commissioner namely the Additional Commissioner holding the said charge prior to the presenting before the Treasury for encashment. The TA bill at the time of sanctioning could have been reduced or even rejected by the concerned authorities if found to be false or hiked to the contrary the same as been approved without query affirming the fact with regard to the genuineness of the claim. There was no objection or query raised in respect of the aforesaid TA bill at that point of time and the present charge is nothing but an afterthought at the instance of the Commissioner. It is stated that the aforesaid claim made in the TA bill is genuine and the claim was also eligible as per the TA bill rules insofar as the delinquent is concern and the said claim is not excessive or there is no false claim in respect of the same. Sivaganga is headquarters and place of stay by the delinquent in furtherance of this duty yet travelled only from Sivaganga to Chennai and the claim is made only from the said place. Madurai is only an en route and a junction from where the delinquent had travelled by train to Chennai. Hence the claim is made in respect of the travelling allowances made from Sivaganga at Chennai and there is no manipulation or suppression in respect of the aforesaid fact and the contra imputation in the Charge No. 1 is totally unfounded.

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	The claim made by the delinquent is genuine and also within the eligible limits and that the delinquent is entitled for first-class AC train fair and the claim is only falling within the aforesaid limitation. The contra allegation that there is a false claim and an excess claim in respect of the travelling allowance is unsubstantiated and imaginary. Henceforth the charge is totally misconceived, devised and fabricated only with the purpose of inflicting hardship on the delinquent.
	Charge no. 2: as stated in charge no. 1, on 20-03-2013 and 21-03-2013 for travelling in a 3rd class AC compartment from other into Chennai and Chennai to Madurai total cost is Rs. 1400, but N Dhanapal had suppressed the fact and had falsely prepared the DA claim Rs. 3160/-and had existed claim Rs. 1760/-causing misappropriation for personal gains. Explanation: that the delinquent is entitled to claim first-class AC fair for his travel from Sivaganga to Chennai. The contra allegation that there is an excess claim in respect of the aforesaid TA claimed by the delinquent is nothing but an afterthought and devised for the purpose of inflicting hardship on the delinquent. The process of sanctioning the travelling allowance clearly envious charges the scrutiny as well as confirmation by the officials of the Department at the quarters and had any point of time the same could have been rejected as excessive or false. The travelling is totally substantiated by means of the tentative programme schedule which is approved by the Department and further the diary maintained in respect of the execution of works by the delinquent confirms with regard to the travel made. The amount claimed by the delinquent is from Sivaganga to Chennai and the said amount reflected in the charge memo only pertains to train fair from Madurai to Chennai III class AC compartment.

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	The delinquent is entitled to travel in first-class AC compartment and the travel is effected from Sivaganga to Chennai and from Chennai to Sivaganga I and the claim of Rs. 3160/-is not only genuine but also within the eligible limits as conferred in the TA rules payable to the delinquent. The aforesaid claim made by the delinquent is firstly approved by the senior accounts Ofc and further countersigned by the delegated officer of the Commissioner which only affirms and substantiates the stand of the delinquent that the claim is genuine and within limits and the contra imputation that there has been excess claim of travel allowances and on account of which the exchequer is put to loss all devised for the purpose of the charge and the same is unfounded and baseless and specifically denied. In any event the TA bill claimed by the delinquent at the time of scrutiny would have if the same is found to be excessive they could have exercised their discretionary powers to restrict the amount claimed if found to be excessive or even reject the same totally for any justifiable reason at their end. To the contrary the aforesaid TA bill is been allowed without any demur and the same is sought to be questioned that the belated stage on flimsy and untenable grounds clearly establishing that the charges only malafidely instigated at the instance of the Commissioner was ill disposed with the delinquent.
	Charge no. 3: that during the period of service as joint Commissioner at Tirunelveli for the period 07-03-2008 221-01-2010, that the delinquent had fixed fair rent in respect of various temples against the rules prescribed in this regard. Explanation: the delinquent being a regional joint Commissioner is in charge of more than 2000 temples in the said area. The said jurisdiction of the joint Commissioner covers 3 districts.

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	The fixation of fair rent is not effected by the delinquent in this capacity as joint Commissioner alone. The committee comprises of about 6 persons who are officials who include: executive officer of the temple, Assistant Engineer of The Department, trustee /fit person of the said temple, Additional Divisional Engineer, district registrar within whose limits the property is situated, and the joint Commissioner who shall preside over the said committee. The signature of the district registrar is not obtained in the said fair rent fixation proceedings is the only impediment which is famous charges against the delinquent. The committee comprises of 6 persons and apart from that the convening of the committee for fixation of fair rent is not the sole responsibility of the delinquent in his capacity as joint Commissioner and that the executive officer is the person. In each of the proceedings for fixation of Farrand presided by the delinquent he had clearly affirmed in his proceedings that the executive officer is the person who shall be responsible and liable for obtaining the signatures of all committee members and any event the same cannot be imputed as an irregularity or malfunctioning at the instance of the delinquent holding the post of Regional Joint Commissioner. The aforesaid process of fixation of fair rent by the delinquent has been appreciated by the earlier commissioners were able to appreciate the genuine effort of the delinquent in increasing the income from the temple properties by fixing fair rent in respect of the property hitherto enjoyed by tenants for flimsy amount. The entirety of the charges not only unfounded on facts but the same is also apparently flimsy and untenable.

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	The belated imputation that the Fair Rent does not fixed by the joint Commissioner/delinquent after a period of 5 years would clearly exemplified afterthought and vindictive motive.
	Charge No. 4: That in respect of fixation of fair rent the delinquent is not compared the guideline value and market value of the property and thereon proceeded to take the highest value in fixing the fair rent in respect of the property as referred in charge no. 3, the guideline value of the property was alone the basis for fixing the fair rent and the same is not in consonance with the provisions of section 34A of the HR & CE Act and has caused loss to the said temples. Explanation: in respect of such of those properties where fair rent is fixed the provisions of section 34-A of the Act was strictly followed. The guideline value in respect of the said properties on scrutiny had only revealed that they are almost in consonance to the market value of the property. In respect of all the proceedings there had been a specified note by the delinquent that in respect of any loss of revenue loss to the temple or any violation of the provisions of the Act, the Executive Officer of the respective temple and the Additional Executive Engineer are alone responsible. The delinquent being a Supervising Authority had resorted to preside over the meeting fixation of fair rent, which is based upon the informations and particulars given by the Executive Officer who is in charge of the respective temple and the Additional Executive Engineer who prepares and provides the material particulars for fixation of fair rent based upon which the aforesaid proceedings, fair rent is arrived and concluded. The delinquent in spite of the aforesaid is singled out with sinister motive and with malafide intention sought to be victimised with nefarious ends and the said charges unsubstantiated and devised.

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	The aforesaid process of fixation of fair rent is followed throughout the State by all the Regional Joint Commissioners including the present Commissioner while he was holding the charge of Joint Commissioner in fixing fair rent of the properties of the various temples under his charge at Chennai. The contra imputation on the delinquent is misconceived and suffers from malafides. The aforesaid charge is only framed in respect of the delinquent and no such charge so far is ever levelled against any Joint Commissioners who had followed and continued to follow the same procedure in fixing fair rent clearly reveals discrimination and prejudice towards the delinquent.
	Charge No. 5: the while the delinquent was holding as office as Joint Commissioner Tirunelveli, he had ordered regularisation of lease of joint encroachers about 200 persons in respect of the property of an extent of 7 acres comprised in survey no. 460, 461 and 476, situated in Panangudi Village, Radhapuram Taluk Tirunelveli district belonging to Arulmighu Ramalinga Swamy temple. Based upon upon the reports by the executive officer of the temple and the Inspector Naguneri, the said reports of been recommended to the Commissioner for regularisation of the group encroachment for letting the said lands on lease and for collecting the rent on 11-04-2008 and the same is pending for consideration before the Commissioner, while so the delinquent Joint Commissioner had proceeded on his own accord to issue an order dated 06-06-2008 in regularising the 200 encroachers as tenants. Explanation: the encroachers aforesaid numbering more than 200 constituting group encroachment of the temple lands were in occupation of the said lands for over a substantial period of time for more than 30 years and the same is reflected in the reports given by the executive officer and the inspector and based upon the aforesaid the same was sent to the Commissioner for consideration and for further orders. In the meantime there had been a big law and order problem in the locality where the property is

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	situated and that road obstruction by the encroachers was done under the leadership of local MLA. In such exigent circumstances, the District Collector had enquired and called upon the delinquent to take immediate action in this regard to avoid further law and order problem. The delinquent had immediately referred the matter to the Commissioner's office calling upon them to react spontaneously. The Commissioner's office had instructed over phone that the joint Commissioner has got adequate powers for regularisation of encroachers in terms of the said GO. In furtherance of the aforesaid instruction and note was put up by the delinquent in the aforesaid file and orders were sought to be passed by the delinquent. The regularisation of the 200 encroachers by the delinquent is only based upon the GO and based upon the instruction telephonically given by the Commissioner's office in this regard. There is no irregularity or illegality at the instance of the delinquent in issuing the aforesaid order of regularisation of ground encroachers and the contra imputation in the charges unfounded and baseless.
	Charge No. 6:-for regularisation of encroachment in terms of G. O. Ms No. 340, Tamil Development, Endowments and Information Department dated 06-08-2007, there is a condition that the group encroachment in the temple lands must be more than 30 years, but in the case of the temple land which was regularised by the delinquent in terms of Charge No. 5 there is nothing on record to show that these lands were been encroached amount and 30 years and the same is not been specified in the report given by the Executive Officer or the Inspector. In respect of the aforesaid encroachment in the proceedings of the joint Commissioner office bearing Naka No. 21079/2005/E 5 in Assembly Question No. 1174, the said encroachment is depicted to have commenced from 1995 onwards. Knowing about the same the delinquent joint Commissioner had proceeded to give regularisation to the encroachers who does not fall within the purview of having encroached the said property for more than 30 years much against the said Government Order in an arbitrary manner.

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	Explanation: the lands in question which were under group encroachment was that the first instance given a detailed report by the executive officer of the temple and subsequently the same is also confirmed and affirmed by the Inspector Naguneri. They were fully aware in giving the aforesaid report in stating that the said lands are encroached for more than several years and had resorted to recommend for regularisation of the aforesaid group encroachment in terms of the government order. The same clearly establishes that the said lands in question are encroached more than 30 years as stipulated in the said government order. The reference with regard to the assembly question in the charge memo was not brought to the notice of the delinquent at the time of regularising the aforesaid group encroachment. The reference made by the executive officer as well as the Inspector Naguneri seeking to recommend the aforesaid group encroachment clearly establishes the term long period of encroachment affirming the fact it is more than 30 years. The contra imputation in the charge that the delinquent was fully aware that the lands in question were not encroached beyond 30 years and the same does not attract the government order is only devised with malafides for the purpose of imputing hardship upon the delinquent. The aforesaid charges sought to be projected after 5 years of passing of the aforesaid order by the delinquent regularising the group encroachment. The aforesaid process of regularisation has only be beneficial for the temple in collecting more revenue in respect of the said lands. The lands occupied for residential purpose by various persons more than 200 in number and they are also enjoying basic amenities the said lands and the recovery of the said lands is totally beyond comprehension. Further the matter has been precipitated to the level of creating a law and order problem by the encroachers who are claiming right in terms of the aforesaid government order for regularisation of the occupation. There is no irregularity in passing the regularisation as the said temple falls under section 46 (3) of the HR & CE Act and the exercise of such powers by the delinquent is within the limits authority and jurisdiction and the contra allegations in the charge memo are all unfounded and

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	baseless. The aforesaid fact that the delinquent joint Commissioner has got adequate powers to pass such orders was only instructed by the Commissioner's office that the temple is falling within the purview of section 43 (3) of the said Act and in the telephonic conversation on account of exigency arising due to Road Roko by the encroachers under the leadership of the local MLA. that the delinquent is also made a note in respect of the same in the file, and the said particulars are not been given to the delinquent in spite of request for furnishing the same.
	Charge no. 7. That the delinquent had not fixed fair rent in respect of the properties belonging to Arulmigu Ramalinga Swamy temple in respect of the lands situated in survey no. 460, 461 and 476 land of an extent of 7 acres situated in Panangudi Village, Radhapuram Taluk Tirunelveli district in accordance with section 34-A of the Act while regularising the aforesaid encroachment of 200 persons in terms of the proceedings of the joint Commissioner Naka 210 79/2005/D2 dated 06-06-2008 and without getting the approval of the District Registrar a member of the said fair rent committee in fixing the market value of the property and also not having determined the fair rent by taking into consideration the guideline value of the property market value of the property and thereon proceeded to fix the Fair Rent and had proceeded to arbitrarily fixed the rent in respect of the property. That the aforesaid regularisation was effected by the delinquent joint Commissioner in terms of G. O. Ms No. 340, Tamil Development, Endowments and Information Department dated 06-08-2007. The aforesaid process of regularisation in respect of occupation of lands for residential purpose for more than 30 years is totally on a different purview and the fixation of fair rent would not be squarely applicable in respect of such lands at the 1st instance. Based upon the various inputs provided by the executive officer of the temple and the inspector who had proposed to grant of regularisation in respect of the aforesaid group encroachers, the rent in respect of the lands were sought to be fixed and regularised. Even the

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	aforesaid rent is only reflecting the fair rent in respect of the property occupied by the respective encroachers and the same does not in any manner cause any loss to the temple. There is no allegation in respect of the delinquent causing loss to the temple in the aforesaid charge would clearly establish the fact that the charges against the delinquent is only devised for the purpose of harassing him and there is no substance in the charge and there is no substantiation of any loss to the temple. There is a delay of more than 5 years in imputing the said charge after a period of more than 6 successive commissioners having held their office. The same clearly establishes malafides, vindictive attitude and spiteful malicious temperament.
	Charge No.8:-the aforesaid charges framed in respect of the various temples depicted in the said charge being 44 temples which are not covered by charge no. 3. The allegation that while fixing Farrand for the temple properties section 34A of the act was not followed by the joint Commissioner and the same as against the rules and regulations of the Hindu religious and charitable endowments and that the delinquent has acted in an arbitrary manner in determining the rent without fixing the fair rent. Explanation: the aforesaid allegation is made without specificity and the same is alleged in respect of all the temples in which the delinquent Joint Commissioner discharging functions. There is no specific allegation that in respect of the specified proceedings that The Joint Commissioner had not followed the procedure established for fixing fair rent. The delinquent as fixed fair rent only by following the procedure established by law and the explanation in Charge No. 3 would squarely be applicable to the present charge also. Charge no.9:-taking into consideration the nature of the charges 1 to 8 aforesaid, the delinquent N. Dhanapal quantity to the integrity and devotion of duty and having failed to discharge its duties and functions and is committed dereliction of duties and responsibilities and the same is not in consonance and totally unbecoming of a member of the service and had violated to 20 of the Tamil Nadu Civil Servants Rules.

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	Explanation: the entirety of the charge 1 8 of the will is devised and imputed for the purpose of inflicting hardship upon the delinquent. The entire charges are levelled with malafides lacks specificity, belated and the same is only devised with sinister motive for the purpose of taking vindictive action as against the delinquent.
07-10-2013	ADDITIONAL CHARGES FRAMED AS AGAINST THE DELINQUENT Additional Charge No. 1: in respect of the said charge there had been investigation with the Railway Department with regard to the actual travelling dates and particulars of the delinquent in claiming the travel allowances. The Railway Department had affirmed and confirm with regard to the travelling by the delinquent on the respective dates but instead of Sivaganga to Chennai as claimed by the delinquent, the delinquent as travelled from Madurai to Chennai and vice versa. Explanation: In respect of the aforesaid charge it is submitted that the delinquent as employed at Sivaganga and all his travels during the said period are only official as could be revealed from the tentative travel schedule program submitted by the delinquent to the Commissioner and the diary depicting the travelling by the delinquent for which is sought by the delinquent are all placed before the commission at the earliest opportunity even prior to the sanctioning of the aforesaid travel allowance. Presently in imputing a charge over the delinquent stating that the railway authorities had given information are all fine tuned fabric of falsification at the instance of the Commissioner.
	Additional charge no. 2: that on the various dates depicted in the schedule to the aforesaid charge, the delinquent as claimed excessive amount of travelling allowance. Explanation: The delinquent as claimed to only the proper travelling elements met out by the delinquent during the course of the said travel and the same is also within the eligible limits as prescribed by the TA Rules and there is no violation of whatsoever nature in the claim made by the delinquent.

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	The delinquent is not claim any boarding charges during his stay at Chennai throughout his entire service. The aforesaid claim of travelling elements is submitted to the Commissioner's office and the same is scrutinised by the senior accounts officer and the same is also countersigned by the additional Commissioner who is the person who is the delegated authority of the Commissioner.
	Additional charge no. 3: in terms of the said charge it has been depicted that from the information given by the southern railway that in respect of the schedule of dates in the aforesaid charge the delinquent has not travelled in the train. Explanation: in the event of properly scrutinising the diary of the delinquent submitted along with the TA Bill and the attendance both that the office of the delinquent at Sivaganga and the attendance at the head office of the Department at Chennai during the aforesaid time and period of travel the same would clearly establish the genuineness of the claim made by the delinquent. The contra allegation that there was no travelling on the specified dates as reported by the southern railway would not dislodge the case of the delinquent that you had attended the meetings at Chennai for which purpose the delinquent had travelled from Sivaganga to Chennai and the mode of transport in respect of the aforesaid travel would not only mean rail transport but would also affirm other modes of transport but the issue is that the delinquent had travelled the particular date in his official capacity and discharging his official function is established and the claim for such travel elements is genuine and substantiated.
	Additional Charge No. 4:-taking into consideration the nature of the charges 1 to 8 aforesaid, the delinquent N. Dhanapal quantity to the integrity and devotion of duty and having failed to discharge its duties and functions and is committed dereliction of duties and responsibilities and the same is not in consonance and totally unbecoming of a member of the service and had violated to 20 of the Tamil Nadu Civil Servants Rules.

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	Explanation: the entirety of the charge 1 8 of the will is devised and imputed for the purpose of inflicting hardship upon the delinquent. The entire charges are levelled with malafides lacks specificity, belated and the same is only devised with sinister motive for the purpose of taking vindictive action as against the delinquent.

4.1. In respect of these charges, the petitioner was placed under suspension on 05.07.2013. The petitioner filed the writ petition challenging the order of suspension and ultimately the order of suspension was ordered to be revoked with a direction to expedite the enquiry. Thereafter, enquiry officer was appointed by the Government in G.O.No.140, dated 16.09.2015. The posting orders were issued in G.O.No.150, dated 07.10.2015 appointing the petitioner as Joint Commissioner (A/M Devi Karumariamman Temple, Thiruverkadu).

4.2. The officer who issued the charge memo and additional charge memo was the then Commissioner of the HR & CE Department and the Additional Commissioner was appointed as the enquiry officer. On 02.02.2016, memo calling for explanation to the charge memo was issued. The petitioner submitted his explanation, dated 15.02.2016.

4.3. The petitioner had challenged the maintainability of charges in the explanation submitted on 15.02.2016.

4.4. Without going through the explanation and merely recording the statement of the petitioner and without examining the departmental witnesses or witnesses from any other source, the enquiry officer completed the enquiry. To the shock of the petitioner, several documents had been relied upon in the enquiry report without the petitioner being put on notice, and without marking the documents through competent witnesses. In fact, from where those documents came to the file of the enquiry officer is not known.

4.5. Holding that all the charges levelled against the petitioner are proved, the enquiry report was served on the petitioner on 28.04.2016.

4.6. In the absence of any evidence from the Department, the charges should have been dropped accepting the explanation from the petitioner. However, the first respondent, apparently expressly revealing his intention to punish the petitioner, has issued the show cause notice dated 25.11.2016 without disclosing on what basis the first respondent has accepted the report of

the enquiry officer. The enquiry report dated 28.04.2016 and the show cause notice, based on the enquiry report dated 25.11.2016 are under challenge in the writ petition.

5. The Government has filed the counter affidavit with regard to the averments made in the writ petition filed by the petitioner and the summary of the counter reads as under.

5.1. The petitioner was appointed as Assistant Commissioner in the HR & CE Department, in the year 1996 having been recruited by the Tamil Nadu Public Service Commission. He was promoted as Deputy Commissioner and then as Joint Commissioner.

5.2. Some complaints were received against the petitioner. After verifying the facts and relevant documents, charges were framed against the petitioner under Rule 17 (b) of the said Rules on 07.10.2013. Alleging that the charges were grave in nature, the petitioner was put under suspension on 05.07.2013.

5.3. The petitioner filed W.P.Nos.23023, 23024, 28936 and 28937 of 2014 and W.P.No.8852 of 2015 before this Court, challenging the charge memo, the appointment of the enquiry officer and the suspension order. After the order of suspension was revoked on account of the order of this Court, and W.P.No.23024 of 2014 and W.P.No.8852 of 2015 were closed as infructuous.

5.4. In W.P.No.23023 of 2014 and W.P.No.28937 of 2014, this Court by the order, dated 16.10.2015, directed the petitioner to cooperate in the domestic enquiry, and with a direction to afford full and effective opportunity to the petitioner to defend himself. After the appointment of enquiry officer, W.P.No.28936 of 2014 is also closed.

5.5. The enquiry officer has perused the explanation and documents furnished by the petitioner as well as by the Department and has submitted the report. The list of witnesses are also enclosed in the report. In the questionnaire submitted by the petitioner, he has specifically stated that he does not wish to examine any witness on his side. Since there is no oral evidence, on the side of the petitioner, the Department also did not want to examine any witness and therefore, no name of witness was mentioned in the annexure to the charge memo.

5.6. The first respondent, being the disciplinary authority, has considered the enquiry report and has called for further explanation and final decision would be taken only after considering the explanation of the petitioner. The contention that the show cause notice dated 25.11.2016 and the enquiry report dated 28.04.2016 are vindictive, punitive and tainted

with malafides and illegality are baseless. The first respondent has also provisionally accepted the findings of the enquiry officer. Hence, the writ petition is premature and it is liable to be dismissed.

6. Before proceeding with the merits of the matter, it is essential to place on record the decided cases touching the scope and nature of departmental proceedings.

(i) Explaining the nature of departmental proceedings and the essential elements to be kept in mind, while deciding the departmental proceedings, the Hon'ble Supreme Court, in the case of Roop Singh Negi v. Punjab National Bank and Others, reported in (2009) 2 SCC 570, observed as under:-

"18. In Narinder Mohan Arya vs. United India Insurance Co. Ltd. & ors. (supra), whereupon both the learned counsel relied upon, this Court held:

"26. In our opinion the learned Single Judge and consequently the Division Bench of the High Court did not pose unto themselves the correct question. The matter can be viewed from two angles. Despite limited jurisdiction of a civil court, it was entitled to interfere in a case where the report of the Enquiry Officer is based on no evidence. In a suit filed by a delinquent employee in a civil court as also a writ court, in the event the findings arrived at in the departmental proceedings are questioned before it should keep in mind the following: (1) the enquiry officer is not permitted to collect any material from outside sources during the conduct of the enquiry. [See State of Assam and Anr. v. Mahendra Kumar Das and Ors. [(1970) 1 SCC 709] (2) In a domestic enquiry fairness in the procedure is a part of the principles of natural justice [See Khem Chand v. Union of India and Ors. (1958 SCR 1080) and State of Uttar Pradesh v. Om Prakash Gupta (1969) 3 SCC 775]. (3) Exercise of discretionary power involve two elements (i) Objective and (ii) subjective and existence of the exercise of an objective element is a condition precedent for exercise of the subjective element. [See K.L. Tripathi v. State of Bank of India and Ors. (1984) 1 SCC 43]. (4) It is not possible to lay down any rigid rules of the principles of natural justice which depends on the facts and circumstances of each case but the concept of fair play in action is the basis. [See Sawai Singh v. State of Rajasthan (1986) 3 SCC 454] (5) The enquiry officer is not

permitted to travel beyond the charges and any punishment imposed on the basis of a finding which was not the subject matter of the charges is wholly illegal. [See Director (Inspection & quality Control) Export Inspection Council of India and Ors. v. Kalyan Kumar Mitra and Ors. 1987 (2) Cal. LJ 344. (6) Suspicion or presumption cannot take the place of proof even in a domestic enquiry. The writ court is entitled to interfere with the findings of the fact of any tribunal or authority in certain circumstances. [See Central Bank of India Ltd. v. Prakash Chand Jain (1969) 1 SCR 735, Kuldeep Singh v. Commissioner of Police and Ors. (1999) 2 SCC 10].

"

In the same judgment, the march of law in the case of the departmental proceedings has been pointed out wherein it is stated that the Doctrine of unreasonableness is giving way to the doctrine of proportionality:-

"17. In *Moni Shankar v. Union of India* and Anr. [(2008) 3 SCC 484], this Court held:

17. The departmental proceeding is a quasi judicial one. Although the provisions of the Evidence Act are not applicable in the said proceeding, principles of natural justice are required to be complied with. The Court exercising power of judicial review are entitled to consider as to whether while inferring commission of misconduct on the part of a delinquent officer relevant piece of evidence has been taken into consideration and irrelevant facts have been excluded therefrom. Inference on facts must be based on evidence which meet the requirements of legal principles. The Tribunal was, thus, entitled to arrive at its own conclusion on the premise that the evidence adduced by the department, even if it is taken on its face value to be correct in its entirety, meet the requirements of burden of proof, namely - preponderance of probability. If on such evidences, the test of the doctrine of proportionality has not been satisfied, the Tribunal was within its domain to interfere. We must place on record that the doctrine of unreasonableness is giving way to the doctrine of proportionality."

(ii) Recognizing the right of the delinquent employee to have an opportunity to reply to the findings of the enquiry officer and the purpose for which such an opportunity is given to the delinquent employee, the Constitution Bench of the

Hon'ble Supreme Court in the case of Managing Director, ECIL v. B.Karunkar and others, reported in (1993) 4 SCC 727 has held as follows:-

"26. The reason why the right to receive the report of the Inquiry Officer is considered an essential part of the reasonable opportunity in the first stage and also a principle of natural justice is that the findings recorded by the Inquiry Officer form an important material before the disciplinary authority which along with the evidence is taken into consideration by it to come to its own conclusions. It is difficult to say in advance, to what extent the said findings including the punishment, if any, recommended in the report would influence the disciplinary authority while drawing its conclusions. The findings further might have been recorded without considering the relevant evidence on record, or by misconstruing it or unsupported by it. If such a finding is to be one of the documents to be considered by the disciplinary authority, the principles of natural justice require that the employee should have a fair opportunity to meet, explain and controvert it before he is condemned. It is the negation of the tenets of justice and a denial of fair opportunity to the employee to consider the findings recorded by a third party like the Inquiry Officer without giving the employee an opportunity to reply to it. Although it is true that the disciplinary authority is supposed to arrive at its own findings on the basis of the evidence recorded in the inquiry, it is also equally true that the disciplinary authority takes into consideration the findings recorded by the Inquiry Officer along with the evidence on record. In the circumstances, the findings of the Inquiry Officer do constitute an important material before the disciplinary authority which is likely to influence its conclusions. If the Inquiry Officer were only to record the evidence and forward the same to the disciplinary authority, that would not constitute any additional material before the disciplinary authority of which the delinquent employee has no knowledge. However, when the Inquiry Officer goes further and records his findings, as stated above, which may or may not be based on the evidence on record or are contrary to the same or in ignorance of it, such findings are an additional material unknown to the employee but are taken into consideration by the disciplinary authority while

arriving at its conclusion. Both the dictates of the reasonable opportunity as well as the principles of natural justice, therefore, require that before the disciplinary authority comes to its own conclusions, the delinquent employee should have an opportunity to reply to the Inquiry Officer's findings. The disciplinary authority is then required to consider the evidence, the report of the Inquiry Officer and the representation of the employee against it."

(iii) It is common experience that once a decision has been taken, there is a tendency to uphold it and a representation may not really yield any fruitful purpose. Explaining the circumstances under which the direction to the statutory authority to hear the matter afresh would not yield any fruitful purpose, the Hon'ble Supreme Court in the decision reported in (2007) 2 MLJ 295 (SC) (Siemens Ltd., v. State of Maharashtra and others) has held as follows:-

"Although ordinarily a writ court may not exercise its discretionary jurisdiction in entertaining a writ petition questioning a notice to show cause unless the same inter alia appears to have been without jurisdiction as has been held by this Court in some decisions including State of Uttar Pradesh v. Brahm Datt Sharma and Anr. AIR 1987 SC 943, Special Director and Another v. Mohd. Ghulam Ghouse and Another, (2004) 3 SCC 440 and Union of India and Another v. Kunisetty Satyanarayana, 2006 (12) SCALE 262], but the question herein has to be considered from a different angle, viz, when a notice is issued with pre-meditation, a writ petition would be maintainable. In such an event, even if the courts directs the statutory authority to hear the matter afresh, ordinarily such hearing would not yield any fruitful purpose [See K.I. Shephard and Others v. Union of India and Others (1987) 4 SCC 431 : AIR 1988 SC 686]. It is evident in the instant case that the respondent has clearly made up its mind. It explicitly said so both in the counter affidavit as also in its purported show cause."

(iv) Delay always defeats justice. The implication of delay involved in initiating disciplinary proceedings though deprecated in several decisions still delay rules the field of disciplinary proceedings and thus it is necessary to consider the decisions on this point. In the case of State Of Punjab And Ors vs Chaman Lal Goyal, reported in (1995 SCC (2) 570), the implication of delay has been highlighted.

"10. Now remains the question of delay. There is undoubtedly a delay of five and a half years in serving the charges. The question is whether the said delay warranted the quashing of charges in this case. It is trite to say that such disciplinary proceeding must be conducted soon after the irregularities are committed or soon after discovering the irregularities. They cannot be initiated after lapse of considerable time. ...

(v) The Supreme Court in *M.V.Bijlani v. Union of India* and other reported in 2006 (5) SCC 88, quashed the order of removal from service, confirmed by the appellate authority on various grounds particularly, on the ground that initiation of disciplinary proceedings after six years and continuance thereof, for a period of seven years prejudiced the delinquent officer.

(vi) In 2008(6) MLJ 139 (SC)-*Ranjeet Singh vs. State of Haryana*, in paragraph No.8 the Supreme Court has held as follows:-

" 8. ... This Court has repeatedly held that inordinate delay in initiating disciplinary proceedings is a ground for quashing the enquiry unless the employer satisfactorily explains the delay."

(vii) In the *State Of Madhya Pradesh vs Bani Singh And Another* reported in AIR 1990 SC 1308, the Supreme Court has held as follows:

4. ...The irregularities which were the subject matter of the enquiry is said to have taken place between the years 1975-1977. It is not the case of the department that they were not aware of the said irregularities, if any, and came to know it only in 1987. According to them even in April, 1977 there was doubt about the involvement of the officer in the said irregularities and the investigations were going on since then. If that is so, it is unreasonable to think that they would have taken more than 12 years to initiate the disciplinary proceedings as stated by the Tribunal. There is no satisfactory explanation for the inordinate delay in issuing the charge memo and we are also of the view that it will be unfair to permit the departmental enquiry to be proceeded with at this stage. In any case there are no grounds to interfere

with the Tribunal's orders and accordingly we dismiss this appeal.

(viii) In the case of P.V. Mahadevan vs M.D. Tamil Nadu Housing Board, in Appeal (civil) No. 4901 of 2005, the Supreme Court has held as follows:

"Under the circumstances, we are of the opinion that allowing the respondent to proceed further with the departmental proceedings at this distance of time will be very prejudicial to the appellant. Keeping a higher government official under charges of corruption and disputed integrity would cause unbearable mental agony and distress to the officer concerned. The protracted disciplinary enquiry against a government employee should, therefore, be avoided not only in the interests of the government employee but in public interest and also in the interests of inspiring confidence in the minds of the government employees. At this stage, it is necessary to draw the curtain and to put an end to the enquiry. The appellant had already suffered enough and more on account of the disciplinary proceedings. As a matter of fact, the mental agony and sufferings of the appellant due to the protracted disciplinary proceedings would be much more than the punishment. For the mistakes committed by the department in the procedure for initiating the disciplinary proceedings, the appellant should not be made to suffer.

(ix) In the case of S. Pratap Singh vs The State Of Punjab reported in 1964 AIR 72, the Supreme Court has held as follows:

"The only question which could be considered by the court is whether the authority vested with the power has paid attention to or taken into account circumstances, events or matters wholly extraneous to the purpose for which the power was vested, or whether the proceedings have been initiated malafide for satisfying a private or personal grudge of the authority against the officer. If the act is in excess of the power granted or is an abuse or misuse of power, the matter is capable of interference and rectification by the Court."

7. Having considered the legal position, it is necessary to find out, whether principles of natural justice has been followed to the extent of providing sufficient opportunity to the delinquent officer to defend himself or the principles of natural justice has been followed superficially in order to

support the colourable exercise of power during the enquiry to give colour to the vague report is the issue to be considered.

8. The learned counsel for the petitioner pointed out that the enquiry report is merely the reproduction of a) the allegations against the petitioner, b) reply given by the petitioner, c) charge memo, d) the evidence of petitioner, e) documents considered by the enquiry officer, without putting the petitioner on notice, without examining the witnesses and without marking the documents.

8.1. It is also pointed out that the procedure followed is not a procedure contemplated under the Rules and it is a self-designed procedure, which does not answer to any of the fundamental principles.

9. Normally, while conducting the enquiry, subject to the nature of charges, witnesses on the side of the department must be examined to establish the charges and if the evidence discloses the commission of any misconduct/irregularity, then only, the delinquent will be called upon to answer the charges. It is imperative that, all the documents which are relied upon must be known to the petitioner and it must be brought on record in a manner known to law through the examination of witness, so that, the delinquent will have an opportunity of challenging the authenticity and contents of the documents. It is a case where all the documents have been relied upon without the knowledge and without disclosing the source of origin of those documents to the petitioner. The delinquent cannot be taken by surprise when the documents marked come to the knowledge of the delinquent, only when the copy of the enquiry report is submitted. Had it been brought to the notice of the delinquent then it will give an opportunity to the petitioner to challenge the relevancy, admissibility and authenticity of the documents. Thus, the petitioner is deprived of the opportunity of challenging the documentary evidence. Thus it is clear that the procedure adopted by the enquiry officer is the one unheard of, in the legal history and it is totally against the fundamental principles of law.

10. Learned Additional Advocate General would submit that if the enquiry report suffers from any vices, it is open to the Court to set aside the report and to offer an opportunity through the appointment of yet another enquiry officer.

11. The learned counsel for the petitioner would respond to the contention by submitting that it is not a case where there is a mere procedural irregularity, but it is an irregularity going to the root of the matter to the extent of the procedure being branded as illegal and as the findings are not based on

any evidence, it is a case for cancellation of report, without further scope for any further enquiry or re-enquiry.

12. It is settled law that when the principles of natural justice are violated and when the report is based on no evidence, such report which is devoid of merits, cannot be kept on record and therefore, as rightly contended by the learned counsel for the petitioner that it is a case where the enquiry report is liable to be set aside.

13. As far as the report of the disciplinary authority dated 25.11.2016 is concerned, the report itself is crystal clear that it is only a narration of the report/reproduction of the enquiry report and not a considered report. The report merely says that the Government has considered the charges, explanation and the report of the enquiry officer. It does not explain, how the disciplinary authority is satisfied with the reasonings given by the enquiry officer. It does not examine whether procedural requirement have been complied with, while conducting the enquiry. It did not scrutinize, whether the enquiry report is based on evidence or no evidence, whether irrelevant materials have been considered or relevant materials have been omitted to be considered or whether the report is based on acceptable reasonings. When the order passed by the disciplinary authority suffers from want of reasoning and want of consideration and that report cannot be said to be a valid report, therefore, the report is liable to be set aside.

14. It is claimed that fixation of rent for the temple property has been done by a statutory committee constituted under Section 34-A of the Hindu Religious and Charitable Endowments Act, consisting of several individuals of whom the petitioner is one. Later the rent fixed has been approved by the Head of the Department namely the Commissioner of HR & CE Department. The method adopted was never questioned by the then Commissioner who is expected to guide the persons who fixes the rent. It is also not known what made the department to proceed only against this petitioner alone when several persons were involved in the fixation of rent. It is also pointed out that several erstwhile Commissioners who took over also did not question the order fixing the rent.

14.1. It is also contented by the petitioner that there is no allegation of malafides in fixation of fair rent.

14.2. A mere perusal of the orders passed by the petitioner fixing the fair rent, which are the subject matter of the above charges would clearly reveal that, petitioner have fixed the fair rent on the basis of the guideline value of the temple properties but also the market value of the adjacent properties

and out and out on the basis of a guideline value letter given by the concerned sub - registrar, to the Executive officer of the temple and the guidelines given by the government in the government orders in G.O Ms. No : 456 dated 09.11.2007. Each and every order passed by the petitioner marked copies to the Commissioner, would clearly reveal the above factual position and such orders were approved by the Head of the department impliedly as the head of the department had not raised any query regarding such fixation and questioned the petitioner for years together.

14.3. That apart the order passed by the petitioner is always subject to a condition put forth by the petitioner at end of the order that in case of any complaint from any one regarding the fixation, the rent will be revised as per the government orders in the interest of the temples. A warning also is given in each and every order passed by the petitioner "that the concerned Executive officer will be taken to the task in case of any mistake in his report resulting in revenue loss to the temple" . Hence, the petitioner cannot be personally charge sheeted for the fixation of fair rent of the temples which was done by the committee consisting of Executive Officer, Assistant Divisional Engineer, Assistant Commissioner of the District, Fit person/Trustee of the temple and the Joint Commissioner of the region.

14.4. Moreover the fixation was done in 2008 - 2009 and it is clearly motivated to frame the charges for that after a lapse of nearly five years during which the office of the Commissioner was occupied by three IAS Officers in succession, who had not raised any query or objection against the fixation of fair rent by the committee.

14.5. The more relevant question would be, when the statute provides for right of appeal to the tenants who would be aggrieved over the fixation of rent, whether in respect of the fixation of rent disciplinary proceedings can be initiated, especially in the absence of charges of corruption vitiating the fixation of rent.

14.6. Whether the process of fixing of rent is a quasi judicial proceeding or an administrative proceeding. If the process is a quasi judicial proceeding, with reference to procedure being adopted, there cannot be any disciplinary proceedings. The remedy open to the aggrieved party is to file an appeal as contemplated under the Statute itself. Only when the proceedings are purely in administrative in nature and if it is tainted with corruption, malafide or any other vices the person fixing the rent can be proceeded with departmentally. The

Section 34A of the HR&CE Act provides for opportunity being given to the tenant to make his submission and other provisions provide for right of appeal. Therefore, it is more in the nature of quasi judicial than in the nature of administrative function. If that be so in the absence of aggrieved party, not making any complaint/not filing any appeal, whether it is proper to initiate disciplinary proceedings, is the issue to be answered.

14.7. There is no allegation that the order suffers from procedural fairness. The requirements of procedural fairness are on first appearance applicable to Judicial, Quasi-Judicial and Administrative Proceedings, however, the decision maker may be exempted from all or some of the procedural safeguards that would otherwise be required. Several factors may be identified as capable of excluding the normal procedural fairness requirements in Common Law Courts are:

- (i) Exclusion in case of emergency,
- (ii) Express statutory exclusion,
- (iii) Where disclosure would be prejudicial to public interests,
- (iv) Where prompt action is needed,
- (v) Where it is impracticable to hold hearing or appeal,
- (vi) Exclusion in case of purely administrative matters.
- (vii) Where no right of person is infringed,
- (viii) The procedural defect would have made no difference to the outcome.
- (ix) Exclusion on the ground of 'no fault' decision maker.

14.8. No exclusion from following the principles of natural justice has been provided under Section 34 of the Act. Moreover, provision for appeal is also provided to the aggrieved therefore initiation of departmental proceedings is not proper.

15. The charges are pertaining to encroachment, fixation of fair rent and excess claim in the travelling allowances. So far as the excess claim is concerned, the respondent has omitted to take note of the fact that the claim does not include actual expenses incurred (which the rules permit) but the claim is made only with respect to train travel alone. The actual eligible claim would be more. Apart from that the respondents were omitted to take note of the fact that there is eligibility for the amount claimed towards the travel expenses.

15.1. Part-I of the Tamil Nadu travelling allowance Rules, which defines the meaning of the Travelling Allowance in the following words in. Rule 2 (xvi) of the above rules defines Travelling Allowance as follows.

"Travelling Allowance means an allowance granted to a government servant to cover the expenses, which he incurred in travelling in the interest of public service. It includes allowances granted for the maintenance of conveyances" under Rule -2 (XVI) rulings are enumerated and ruling -2 speaks about the different kinds of Travelling allowances and the eligibility for Travel in different classes by rail under ruling - 29".

15.2. Rulings under fundamental rule 9 also specifically deal with Travelling Allowance and ruling 32 under rule 9 of the fundamental rules defines Travelling Allowance in the following words.

"Travelling Allowances means an allowance granted to the government servant to cover the expenses which he incurs in travelling in the interest of the public service. It include allowance granted for the maintenance of conveyances."

16. As far as charge No : 8 is concerned, it is once again related to the fixation of Fair Rent under section 34 A of the HR&CE Act and is related to the temples not mentioned under charge 3. For this charge also the findings for charge 3,4 & 7 would hold good. Thus they are not only baseless, but are contrary to the admitted facts and records available in the department itself.

16. Charges 5 & 6 relates to allegations of regularisation of 200 encroachers as tenants. An association of encroachers moved a writ petition before the Hon'ble High court of Madras for the regularisation of their occupation and in the interest of the temple, the Hon'ble High court was also pleased to direct the respondents therein namely Government, Commissioner, Joint Commissioner and the Executive Officer of the temple to consider their representation for regularisation of their occupation. Only after that the government have passed an order for the regularisation of the encroachments provided that they are in occupation for more than 30 years.

16.1. Therefore an allegation also is not only baseless and vindictive but is also against the government orders which has directed all the Joint Commissioners in the state of Tamil Nadu to regularise the occupation and the enjoyment of the temple lands by certain individuals for a particular period of thirty years and bring them under the definition of tenant, to get fair

amount from then each for every month towards the rent in the interest of the temples and the devotees. The very object of the government order itself is to collect funds for protecting the very old popular temples, the devotees and temple employees. By leveling such allegations against the petitioner, the very object of the government is sought to be defeated. No Charge can be framed for acting in accordance with the government orders and the rules in force and violation of the same by initiating disciplinary proceedings would amount to enforcement of rule of man and not rule of law. On that ground, the charges related to the regularisation of 200 encroachers as tenants are set aside.

17. Thus, it is evident that neither the enquiry report nor the report of the disciplinary authority is legally sustainable and hence, they are liable to be set aside and set aside accordingly.

18. Human resource is the most valuable resource as it is the source from which other resources can be generated to achieve the organizational objectives. To get the best out of human resource, the Institutions have dual system, i.e. positive reward system and a negative punishment system. Misconduct or disloyalty are tackled by counseling, grievance handling, performance appraisal etc. and this motivates the employees to work better.

19. Subject to the nature of allegations when the punishment system is adopted, it is useful to prevent people from working against the organizational goals. Therefore, before initiating disciplinary proceedings, the concerned authorities should always consider the necessity of initiating disciplinary proceedings, the effectiveness of initiating the same and the procedural fairness being ensured and the satisfaction of delinquent in the process of enquiry and the impact of this enquiry in the mind of the co-employees. The unwarranted and unwanted disciplinary proceedings either initiated belatedly or protracted during enquiry without the procedural fairness would always be counter protective. Even assuming that there is a mistake while discharging the function, the authority should remember Good employees make mistakes and good leaders allow them to. This, in common parlance, is known as administration.

20. In the result, the writ petition is allowed. The proceedings of the first respondent in Kadidha een.5463/A.Nee2-2/2016-2, dated 25.11.2016 and the report of the third respondent / Enquiry Officer in her proceedings in Na.Ka.No.9/2014 BC, dated 28.04.2016 are quashed. The charges

also stand quashed. Consequently, connected miscellaneous petition, if any, is closed. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

srk/ogy

To

1. The Principal Secretary to Government,
Tourism, Culture and Religious Endowments
Department (i/c), Secretariat, Chennai - 9.
2. The Commissioner,
Hindu Religious and Charitable Endowments,
College Road, Nungambakkam,
Chennai - 34.
3. The Enquiry Officer, Additional Commissioner (Enquiry),
Hindu Religious and Charitable Endowment,
College Road, Nungambakkam,
Chennai - 34.

+1cc to the Government Pleader, S.R.No.41558

W.P.No.44110 of 2016

PP(CO)
CS/21/08/18

सत्यमेव जयते

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