



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 11.10.2018
CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.A.[MD].No.1211 of 2018
and
C.M.P. (MD).No.8525 of 2018

1.The Additional Chief Secretary/
Commissioner of Revenue Administration,
Ezhilagam, Chennai 05.

2.The District Collector,
Collectorate, Dindigul,
Dindigul District.

: Appellants

Vs.

C.Subburayan

: Respondent

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent against the order dated 14.03.2017 made in W.P.(MD).No.9004 of 2015, on the file of this Court.

Prayer in WP(MD)No. 9004/ 2015 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a writ of Certiorari to call for the records pertaining to the impugned charge Memo No.Pani.2(4)/31629/2014-2, dated 15.4.2015 on the file of the respondent no.1 and quash the same as illegal.

For Appellants

: Mr.A.K.Baskarapandian
Special Government Pleader

For respondent

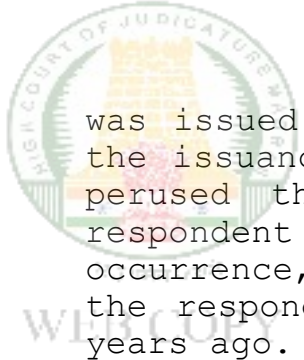
: Mr.T.Lajapathi Roy

JUDGMENT

[Judgment of the Court was delivered by M.M.SUNDRESH, J.]

This Writ Appeal has been filed against the order dated 14.03.2017 made in W.P.(MD).No.9004 of 2015, passed by the learned Single Judge, who, after finding that there was unexplained delay in initiating the departmental proceedings through the charge memo, was pleased to quash the charge memo.

2. The basic facts are not in dispute. The period, over which the charge memo was issued, was in the year 1998. The charge memo



was issued on 15.04.2015. Thus, there is no proper explanation for the issuance of charge memo, after lapse of 17 years. We have also perused the charges, which are very frivolous in nature. The respondent cannot be expected to give reply to the charges over an occurrence, which is stated to have place 17 years ago. Furthermore, the respondent has since attained the age of superannuation three years ago. Thus, we do not find any merit in this Writ Appeal.

3. In the result, the Writ Appeal stands dismissed. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-
Assistant Registrar(W)

/True Copy/

Sub Assistant Registrar(CS-I)

To

1.The Additional Chief Secretary/
Commissioner of Revenue Administration,
Ezhilagam, Chennai 05.

2.The District Collector,
Collectorate, Dindigul,
Dindigul District.

+1CC to Mr.T.Lajapathi Roy, Advocate, SR.No. 90451
+1CC to the Special Government Pleader SR.No. 90480

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NB
ES/SKN/RSK/SAR 1/01.11.2018/2P/5C