



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2022

CORAM

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.29090 of 2010

and

M.P.No.2 of 2010

V.Rajandurai

...Petitioner

Vs.

1.The Secretary to Government,
Public (Spl.A) Department
Secretariat, Chennai -9.

2.The Secretary to Government
Revenue Department,
Fort St. George, Chennai -9.

3.The Principal Secretary,
Commissioner of Revenue Administration,
Chepauk, Chennai-5.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorari to call for records relating to the order of the third respondent, dated 14.07.2008, bearing Proc.No.Ser.2(1) 32975/2007 and to quash the same.

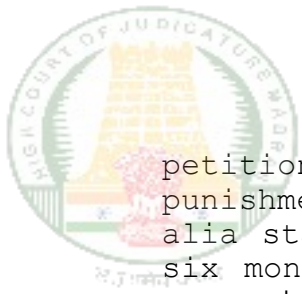
For Petitioner : Mr.S.Vijayakumar

For Respondents : Mrs.E.Renganayaki,
Additional Government Pleader

O R D E R

Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader for respondents and perused the materials on record.

2. This Writ Petition is filed challenging the order dated 14.07.2008, passed by the third respondent, whereby, a minor punishment of stoppage of increment for a period of six months was awarded to the petitioner. Thereafter, eventhough the said order of punishment was passed on 14.07.2008, in the subsequent panel drawn for promotion in the year, 2009, the



petitioner's name was not included, citing the currency of punishment. Therefore, petitioner made a representation, inter alia stating that, it is not actual implementation of period of six months, which is material, but six months from the date of communication of the order of punishment, which is material and if that is taken into account, then, the punishment of censure has no currency. Since his representation was not considered, petitioner has filed a Writ Petition, in W.P.No.12915 of 2010, seeking direction on the third respondent for including his name in the panel and the same is pending for consideration. As far as the present Writ Petition is concerned, it is challenging the order of punishment. Minor penalty is imposed after giving due opportunity to the petitioner and no other legal ground is made out to quash the impugned order. Even otherwise, after imposition of punishment, no Appeal was preferred by the petitioner. As a matter of fact, the petitioner's grievance is against non inclusion of his name in the panel for promotion. Belatedly, the punishment order cannot be challenged and there is no ground in this Writ Petition so as to interfere with the order of punishment. Accordingly, this Writ Petition fails and it is dismissed as such. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-IX)

//True Copy//

Sub Assistant Registrar

sd

To

- 1.The Secretary to Government,
Public (Spl.A) Department
Secretariat, Chennai -9.
- 2.The Secretary to Government
Revenue Department,
Fort St. George, Chennai -9.
- 3.The Principal Secretary,
Commissioner of Revenue Administration,
Chepauk, Chennai-5.

+1cc to Government Pleader SR. No. 25914

W.P.No.29090 of 2010

GP (CO)
PR (26/05/2022)