



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:18.04.2022

CORAM:

THE HONOURABLE **MR.JUSTICE S.M.SUBRAMANIAM**

WEB COPY

W.P. (MD)No.8562 of 2019

and

W.M.P (MD)No.6679 of 2019

S.Baladhandapani

... Petitioner

Vs.

1.The Director of Rural Development & Panchayat Raj,
Directorate of Rural Development &
Panchayat Raj Department,
Panagal Building, Chennai-600 015.

2.The District Collector,
Dindigul District.

3.The Block Development Officer,
Dindigul Union, Dindigul District.

4.The Special Officer,
Kurumbapatti Panchayat,
Dindigul District.

... Respondents

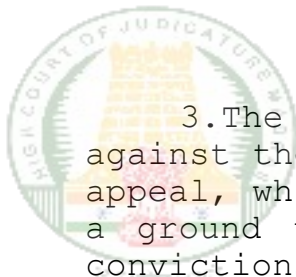
PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records relating to the impugned order of the third respondent bearing Na.Ka.No.2241/2015/OO2 dated 04.04.2019 and quash the same.

For Petitioner in	: Mr.M.Gnanagurunathan
For R1 & R2	: Mr.AK.Manikkam
	Special Government Pleader
For R3	: Mr.V.Arul

ORDER

The order of termination from service based on the conviction in a criminal case is under challenge in the present writ petition.

2.The petitioner was holding the post of Secretary Panchayat and a criminal case was registered against him in Crime No.1 of 2011 for the offences under sections 7 and 13(2) r/w 13(1)(d) of the Prevention of Corruption Act, 1988 and the case was referred as S.C.No.29 of 2014 before the Learned Special Judge cum Chief Judicial Magistrate, Dindigul. The petitioner was convicted by the competent Criminal Court of law. Thus, the authorities issued an order of dismissal of the writ petitioner.



3.The learned counsel for the petitioner made a submission that against the order of conviction, the petitioner preferred a criminal appeal, which is pending. Mere pendency of the criminal case, is not a ground to entertain the writ petition, as the judgment of the convictions stands against the petitioner. After the disposal of the criminal appeal, if the petitioner is otherwise entitled, it is for the petitioner to approach the competent authority. Even then the authorities competent are empowered to continue the disciplinary proceedings by following the procedure as contemplated under law.

4.In view of the facts and circumstances, the petitioner is not entitled for the relief, as the conviction stands against the petitioner as of now. Hence, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CRL)

// True Copy //

/ /2022

Sub Assistant Registrar(CS)

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To

1.The Director of Rural Development & Panchayat Raj,
Directorate of Rural Development &
Panchayat Raj Department,
Panagal Building, Chennai-600 015.

2.The District Collector,
Dindigul District.

3.The Block Development Officer,
Dindigul Union, Dindigul District.

+1 CC to M/s.K. SAMIDURAI, Advocate (SR-19309[F] dated 19/04/2022)

+1 CC to M/s.SPL.GP (SR-19398[F] dated 19/04/2022)

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SS (CO)

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