



Writ Petition No.6571 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 16/12/2024

C O R A M

THE HONOURABLE Mr.JUSTICE VIVEK KUMAR SINGH

Writ Petition No.6571 of 2022

K. Mallika

...

Petitioner

Vs

1. The District Collector
O/o. The District Collectorate
Cuddalore District.
2. The Sub-Collector
O/o. The Sub-Collector Office
Chithambaram District
3. The Revenue Divisional Officer
O/o. The Revenue Divisional Office
Chithambaram District.
4. The Revenue Tahsildar
O/o. The Tahsildar
Kattumannarkovil Taluk
Cuddalore District.

...

Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India
praying for the issuance of a writ of certiorarified mandamus to call for the
records relating to the order made in Na.Ka.No.A3/2139/2015 dated



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17/8/2020 issued by the fourth respondent and quash the same as illegal and consequently direct the respondents to reinstate the petitioner in service with all consequential benefits with further promotion.

For petitioner	...	Mr.R.R.Pradeep
For respondents	...	Mr.R.U.Dinesh Rajkumar Additional Government Pleader for R.R.1 to 4.

ORDER

This writ petition has been filed to quash the order dated 17/8/2020, passed by the fourth respondent in Na.Ka.No.A3/2139/2015 and consequently direct the respondents to reinstate the petitioner in service with all consequential benefits with further promotion.

2. The facts of the case in a nutshell are as follows:-

The petitioner was temporarily appointed as Village Assistant, Aachalpuram Village, vide, order dated 29/5/2014. All said and done, the Officers had started torturing the petitioner mentioning her caste name and fourth respondent dismissed the petitioner from service on 17/8/2020



without issuing the charge memo. Being aggrieved the petitioner has come forward with the instant writ petition.

3. The Tahsildar, Kattumannarkoil, filed a counter affidavit, wherein it is stated that since the officials had a doubt in the entries made in the certificates of the petitioner, they have decided to get Genuineness certificate from the authorities concerned. On comparison with the copy of the certificates issued by the Head Master with the certificates produced by the petitioner, it was found that the original date of joining in the School i.e., 1/6/1979 was altered as 1/6/1989.

4. It is further stated that the District Collector, Cuddalore in his letters dated 30/9/2015, 23/11/2018, 27/9/2019, 1/11/2019 and 1/2/2020 issued instructions to take appropriate action to remove the petitioner from service. At this stage, petitioner submitted a petition on 29/10/2018 to the District Collector, Cuddalore requesting to reinstate her into service.

5. It is further stated in the counter affidavit that the petitioner herself was absented for duty from March 2015, i.e., before completion of her



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probation period. Hence, there is no necessity to conduct an enquiry and to take action on the petitioner.

6. Heard Mr.R.R.Pradeep, learned counsel for the petitioner and Mr.R.U.Dinesh Kumar, learned Additional Government Pleader for the respondents.

7. The learned Additional Government Pleader appearing for the respondents submitted that writ petition is not maintainable either in law or on facts and the same is liable to be dismissed in limine.

8. Perused the materials available on record.

9. Admittedly, the petitioner was temporarily appointed as Village Assistant. On comparison with the copy of the certificates issued by the Head Master with the certificates produced by the petitioner, it was found that the petitioner had produced bogus certificates for the purpose of getting employment and cheated the Government. Since the petitioner herself was absented for duty from March 2015, i.e., before completion of her probation



period, there is no necessity to conduct an enquiry and take action against the petitioner. In such a view of the matter, this Court is of the considered view that there is no irregularity in the order passed by the fourth respondent and hence no interference is warranted.

10. In the result, this writ petition is dismissed. No costs.

16/12/2024

mvs.

Index: yes/No

Neutral Citation: Yes/No

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