



WEB COPY



W.P. No. 14009 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.08.2024

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P. No. 14009 of 2018

and

W.M.P. Nos. 16553 & 16554 of 2018

V. Baskaran

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep., by its Principal Secretary to Government,
Revenue Department,
Secretariat, Fort St. George,
Chennai – 600 009.

2.The Principal Secretary / Commissioner of
Revenue Administration,
Disaster Management and Mitigation Department,
Ezhilagam, Chepauk, Chennai – 600 005.

3.The Managing Director,
Tamil Nadu State Marketing Corporation,
CMDA Tower,
Gandhi Irwin Bridge Road,
Egmore, Chennai – 600 008.

4.The District Collector,
Namakkal District,
Namakkal.

... Respondents

Writ petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records relating to the impugned proceedings issued by the second respondent in Ser.2(4)/42945/2017, Revenue



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Administration, Disaster Management and Mitigation Department, dated 23.12.2017 and quash the same and consequently direct the respondents to include the petitioner for promotion to the post of District Revenue Officer for the year 2017 vide G.O. Ms. No. 103, Public (Special) Department dated 02.02.2018 with all consequential and other attendant benefits.

For Petitioner : No Appearance
For Respondents : Mr. S. Balamurugan,
Government Advocate for RR1, 2 & 4
Mr. K. Sathish Kumar, for R3

ORDER

Heard the learned Government Advocate and perused the record. There is no representation for the petitioner.

2. This Writ Petition has been filed seeking to quash the charge memo issued against him and for a consequential relief to direct the respondents to include him for promotion to the post of District Revenue Officer for the year 2017 vide G.O. Ms. No. 103, Public (Special) Department dated 02.02.2018 with all consequential and other attendant benefits.

3. The facts of the case are that, the petitioner was appointed as Assistant at Madurai Collectorate on 25.09.1995. Subsequently, he was promoted as Deputy Tahsildar on 10.03.2006. He was further promoted as Thasildhar on 20.01.2009 and held the same position up to 25.07.2013. Thereafter, he was promoted to the post of



Deputy Collector on 25.07.2013. He was sent to TASMACH, as District Manager, Namakkal on deputation from 24.02.2016 to 25.03.2017. At the time of filing of the writ petition, the petitioner was working as Revenue Divisional Officer, Thiruchengodu, Namakkal District. As per the petitioner, the next avenue for promotion is to the post of District Revenue Officer. The petitioner become eligible to be included in the panel for promotion to the post of District Revenue Officer for the year 2017. But his name was not included in the panel for the year 2017 for the promotion to the post of District Revenue Officer. Suddenly, the petitioner was issued with a show cause notice dated 17.05.2017 calling for explanation under Rule 17(a) of T.N. Civil Service (Discipline & Appeal) Rules stating that while he was holding the post of District Manager (TASMACH) Namakkal District during the period from 24.02.2016 to 25.03.2017, failed to follow the specific instructions of the third respondent given through telephone and Email on 08.11.2016 and repeated instructions not to accept the demonetized currencies of Rs.500/- and Rs.1000/-. Challenging the said charge memo, the petitioner filed this writ petition.

4. During the course of hearing today, the learned Government Advocate appearing for the respondents submit that in reply to the charge memo dated 23.12.2017 issued to the petitioner, he has submitted his explanation dated 09.02.2018 and it was sent to the second respondent.



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5. Learned Government Advocate further contend that during the pendency of this writ petition, the petitioner has passed away on 04.06.2021 while in service. He further submits that the Government has disposed the disciplinary proceedings vide G.O.(2D) No. 159, Revenue and Disaster Management Department, Services wing, Services 2(2) Section dated 08.08.2022 by dropping all the charges framed against the petitioner.

6. Having considered the materials available on record and having heard the learned Government Advocate, as the charge memo challenged in this writ petition has been dropped by the respondents and the petitioner also is no more, in our considered view, no further adjudication is required in this writ petition.

7. Accordingly, this Writ Petition is dismissed as infructuous.

8. Consequently, connected miscellaneous petitions are closed. There shall be no order as to costs.

22.08.2024

Index :Yes/No

Neutral Citation :Yes/No

AT



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To

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BATTU DEVANAND, J.

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