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W.P.No. 34270 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2024

CORAM:

THE HONOURABLE **MRS. JUSTICE V.BHAVANI SUBBAROYAN**

W.P.No.34270 of 2024

and

W.M.P Nos.37118 and 37120 of 2024

Sengathir

.. Petitioner

Versus

1.The Revenue Divisional Officer,
Thirukoilur Revenue Division,
Thirukoilur, Villupuram District.

2. The Revenue Divisional Officer,
Cuddalore Revenue Division,
Cuddalore.

3. L. Elangovan

... Respondents

Prayer: This petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari calling for the records of the impugned order dated 17.08.2023 passed by the first respondent in Na.Ka.Aa1/16113/2022 dated 17.08.2023 and quash the same and pass orders.

For Petitioner : Mr.S.P.Meenakshi Sundharam

For Respondents : Mr.Stalin Abhimanyu, AGP

ORDER



W.P.No. 34270 of 2024

WEB COPY

By consent of learned counsel on either side, this writ petition is taken up for final disposal at the stage of admission itself.

2. This writ petition is filed seeking for a Writ of Certiorari calling for the records of the impugned order dated 17.08.2023 passed by the first respondent in Na.Ka.Aa1/6113/2022 and quash the same and pass orders.

3. The facts of the case is that the petitioner is working as a Village Administrative Officer in Thirunavalur Village and there was an allegation against the petitioner with regard to issuance of patta. Due to which a criminal complaint has been lodged against the petition before the Inspector of Police, Thiruvalaur Police Station and based on the same FIR has been registered against the petitioner in Crime No. 88 of 2014 and charge sheet has been filed before the Judicial Magistrate No.II in C.C.No.115 of 2023 and the same is pending. The grievance of the petitioner is that based on the same the second respondent has passed the impugned order on 17.08.2023, wherein they have recommended disciplinary action against the petitioner. Aggrieved over the same the



W.P.No. 34270 of 2024

petitioner has come up with this petition.

4. It is seen that the petitioner has not challenged the proceedings of the first Respondent/Revenue Divisional Officer, Thirukoilur Revenue Division dated 17.08.2023. On a perusal of the said impugned order it is seen that the respondent has not initiated disciplinary proceedings against the petitioner and they have made an recommendation to initiate disciplinary action against the petitioner. Further more in the impugned order it has been stated that there is appeal remedy available before the concerned District Revenue Officer.

5. On a fair reading of the above, this Court is of the view that when there is a alternate remedy available to the petitioner to file an appeal before the concerned District Revenue Officer, this writ petition is dismissed. However, the petitioner is granted liberty to file a appeal before the concerned District Revenue Officer within a period of six weeks from the date of receipt of a copy of this order and if such appeal is filed, the authority concerned shall dispose the same within a period of eight weeks from the date of filing of such appeal. No costs. Consequently connected



W.P.No. 34270 of 2024

miscellaneous petition are closed.

22.11.2024

Speaking order : Yes/No

Neutral citation : Yes/No

Index : Yes/No

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To

1.The Revenue Divisional Officer,
Thirukoilur Revenue Division,
Thirukoilur, Villupuram District.

2. The Revenue Divisional Officer,
Cuddalore Revenue Division,
Cuddalore.



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W.P.No. 34270 of 2024

V.BHAVANI SUBBAROYAN, J.

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