



W.P.(MD)No.10352 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.10352 of 2024

and

W.M.P(MD).No.9325 of 2024

T.Rajendran

... Petitioner

vs.

The Principal Secretary to Government,
Rural Development and Panchayat Raj (E2) Department,
Fort St.George,
Chennai - 09.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records on the file of the respondent in connection with the impugned Charge Memo issued by them in Letter No.2666/E2(2)/2023-4 dated 23.11.2023 and quash the same.

For Petitioner : Mr.S.Sivakumar

For Respondent : Mr.S.Shanmugavel
Additional Government Pleader



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ORDER

Heard Mr.S.Sivakumar, learned counsel appearing for the petitioner and Mr.S.Shanmugavel, learned Additional Government Pleader appearing for the respondent.

2. The petitioner has filed this petition seeking to issue a Writ of Certiorari, calling for the records on the file of the respondent in connection with the impugned charge memo in Letter No.2666/E2(2)/2023-4 dated 23.11.2023 and quash the same.

3. The petitioner who is on the verge of his retirement *i.e.*, on 31.05.2024 has been given with a Charge Memo on the allegations that he did not collect due development charges and other fees with regard to the Building Plan Approval.

4. Mr.S.Sivakumar, learned counsel appearing for the petitioner submitted that the petitioner had collected the fees that was in existence at the relevant point of time and the petitioner on knowing the enhancement



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of fees, has now made efforts to collect the remaining fees. In fact, the concerned persons have remitted the enhanced fees as well. For the Building Plan Approval that was granted in the year 2017, Charge Memo has been issued after a lapse of seven years and the petitioner is affected due to the delay caused on the part of the respondent. It is his submission that the petitioner has not at all committed any illegality and he had only collected charges which were in force at the relevant point of time.

5. Since the petitioner is about to retire very shortly and Charge Memo has been given on the verge of his retirement and the petitioner has also collected the alleged arrears of fees and there is no revenue loss as such, I feel that the respondent shall consider the explanation of the petitioner and pass appropriate orders without causing any detriment to his peaceful retirement.

6. In view of the above observations, the writ petition is **disposed of** and the respondent is directed to consider the explanation of the petitioner reasonably / positively and pass appropriate orders before



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his date of attaining superannuation i.e., on 31.05.2024. No costs.

Consequently, the connected Miscellaneous Petition is closed.

29.04.2024

NCC: Yes/No

Index : Yes/No

Speaking/Non-Speaking order

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To

The Principal Secretary to Government,
Rural Development and Panchayat Raj (E2) Department,
Fort St.George,
Chennai - 09.



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R.N.MANJULA, J.

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