



W.P.(MD)No.11731 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.06.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.11731 of 2024
and
W.M.P(MD)No.10470 of 2024

Rabi Ranjithkumar

... Petitioner

vs.

1.The District Collector,
Madurai District,
Madurai.

2.The District Revenue Officer,
Madurai District,
Madurai.

3.The Tahsildar,
Madurai North Taluk,
Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a Writ of Certiorari, to call for the records pertaining to the impugned charge memo in Na.Ka.No.E1859386/2024/Pa.A1, dated 08.04.2024, issued by the first respondent and to quash the same as illegal.

For Petitioner :Mr.S.Deenadhayalan

For Respondents :Mr.M.Lingadurai,
Special Government Pleader



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ORDER

WEB COPY The petitioner who has been slapped with certain charges through the impugned charge memo, has filed this writ petition challenging the same.

2. The petitioner who was working as a Zonal Deputy Tahsildar has been given with a charge-memo alleging that there are certain lapses in preparing a Note File for issuance of assignment patta to one Mr.Raju, S/o.Vellaisamy, who is an Ex-service person.

3. The learned counsel for the petitioner submitted that the petitioner is not the competent authority to grant assignment patta and it is only the Tahsildar who had issued the patta and during the relevant time, the petitioner was working as a Zonal Deputy Tahsildar and even according to the guidelines, the petitioner is not expected to comply the Revenue Standing Orders under Order 15(3)(5), which is applicable only for free assignment.

4. It is brought to the attention of this Court that assignment given to the said Raju was subsequently cancelled and the said cancellation is challenged by Raju by filing a writ petition and the same is pending.



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5. The learned Special Government Pleader submitted that the Tahsildar, who had issued the assignment is also kept under suspension and this petitioner, who also had a role to play in preparing the Note File in making the relevant entries, cannot be left scot free and further, there are fundamental violations in granting the assignment to Raju and therefore, the charge memo has been issued against the petitioner.

6. Even if the petitioner is only a Zonal Deputy Tahsildar, the files could be routed through him to the Tahsildar for granting his approval for the grant of assignment patta. There are specific allegations made against the petitioner alleging that he has violated certain conditions and on the basis of the facts stated in the charges.

7. However, considering the submissions of the learned counsel for the petitioner that the petitioner's promotion is due now and at this stage, the charge memo issued will stumble his career progress, this Court feels that the petitioner can be given with an opportunity to offer his explanation.

8. In view of the above, the petitioner is directed to give his explanation to the charge memo to the first respondent within a period of two



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weeks from the date of receipt of a copy of this order and on receipt of the same, the first respondent shall consider and pass orders within a period of two weeks thereafter either to drop the charges or to proceed it further. In case, the first respondent deems it fit not to accept the explanation submitted by the petitioner and proceeds to take disciplinary action, the same would be completed within a period of four weeks thereafter.

9. With the above observations and directions, this writ petition stands disposed of. No Costs. Consequently, connected Miscellaneous Petition is closed.

05.06.2024

NCC: Yes/No
Index : Yes/No
PM

To

- 1.The District Collector,
Madurai District,
Madurai.
- 2.The District Revenue Officer,
Madurai District,
Madurai.
- 3.The Tahsildar,
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R.N.MANJULA, J.

PM

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