



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 18.09.2024

CORAM:

THE HONOURABLE MR.JUSTICE R.VIJAYAKUMAR

W.P(MD)No.15618 of 2023
and
W.M.P(MD)No.13117 of 2023

P.Kannagi

... Petitioner

Vs.

The State of Tamil Nadu,
Rep. by its Additional Chief Secretary
to Government/Commissioner of Revenue Administration,
Commissionerate of Revenue Administration and
Disaster Management Department,
Ezhilagam, Chennai – 600 005.

... Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a writ of Certiorari, calling for the records pertaining to the impugned charge memo issued by the respondent in proceedings charge memo in Ref. No.Ser.2(2)/30979/2014-2, dated 24.02.2021, quash the same.

For Petitioner	:	Mr.A.Rahul
For Respondent	:	Mr.Veera Kathiravan Additional Advocate General assisted by Mr.S.Shaji Bino Special Government Pleader

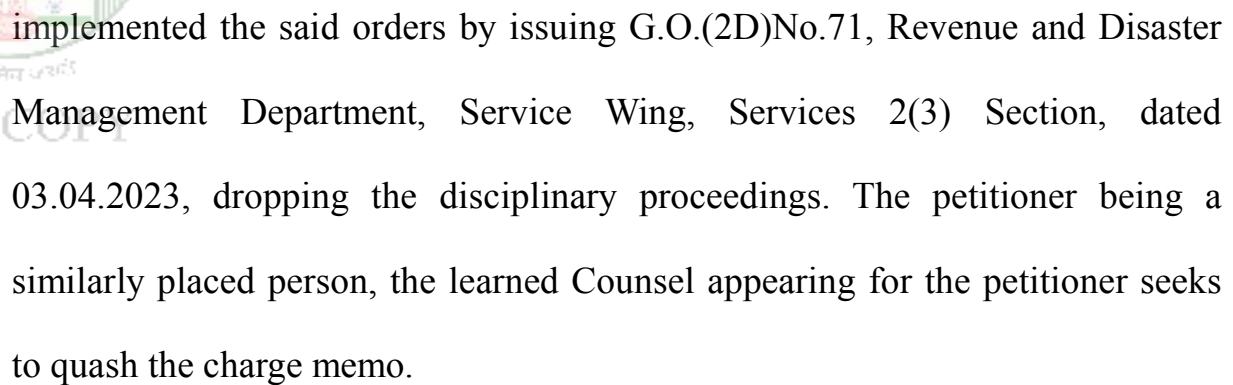


ORDER

The instant writ petition has been filed by a Deputy Tashildar, challenging a charge memo dated 24.02.2021.

2. According to the learned Counsel appearing for the writ petitioner, though the alleged delinquency that have taken place in the year 1988 and 1990, the charge memo has been issued in the year 2021 and there is an inordinate and unexplained delay of 31 years. The learned Counsel appearing for the writ petitioner has further contended that this Court by an order dated 14.09.2022 in W.P.(MD)No.19489 of 2014 has categorically held that the properties are private properties and neither the properties belonged to the Government nor it was allotted to Bharathidasan University. Therefore, the charge memo which proceeds on the basis that the petitioner has granted patta with regard to the Government property would not survive any longer.

3. The learned Counsel appearing for the petitioner has further contended that the co-delinquents namely David Thirugnam and Saradha Rukmani have filed W.P.(MD)No.27144 of 2019 and W.P.(MD)No.6390 of 2021, challenging their respective charge memos with the same allegation. The charge memos have been quashed by this Court by way of an order dated 29.08.2022, which has attained finality. He further contended that the Government has



4. According to the learned Additional Advocate General appearing for the respondent, the order of this Court in W.P.(MD)No.27144 of 2019 and W.P.(MD)No.6390 of 2021 have been implemented relating to the co-delinquents along with the writ petitioner.

5. Considering the fact that the charge memo has been issued after a period of 31 years and the charge memo issued to co-delinquents have been quashed by this Court and implemented by the Government, this Court is inclined to allow this writ petition. Accordingly, this writ petition stands allowed. No costs. Consequently, connected miscellaneous petition is also closed.

18.09.2024

NCC : Yes/No
Index : Yes / No
Internet : Yes / No
RJR



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To
The Additional Chief Secretary
to Government/Commissioner of Revenue Administration,
Commissionerate of Revenue Administration and
Disaster Management Department,
Ezhilagam, Chennai – 600 005.



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R.VIJAYAKUMAR, J.

RJR

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