



WP(MD). No.16481 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Date : 24.07.2024

CORAM

THE HON'BLE Ms.JUSTICE R.N.MANJULA

WP(MD). No.16481 of 2024
and WMP(MD) No.14272 of 2024

S.Akkinikumar

... Petitioner

Vs

1. The District Collector,
Tirunelveli District, Tirunelveli.

2. The District Revenue Officer,
Tirunelveli District, Tirunelveli.

3. The Personal Assistant(General) to District Collector,
The Office of the District Collector,
Tirunelveli District, Tirunelveli.

4. The Special Tahsildar,
Forest Land Revenue Scheme, Singampatti,
Ambasamdram, Tirunelveli District.

... Respondents

PRAYER :- Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a Writ of Certiorarified mandamus to call for the impugned order dated 29.06.2024 made in Nee.Mu/179000/2015(A4)



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passed by 3rd respondent and set aside the same as illegal and erroneous and consequently reinstate the petitioner into service in the same cadre forthwith.

For Petitioner : Mr. S.Palanivelayutham

For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

Heard Mr.M.Saravanakumar, learned counsel appearing for the petitioner and Mr.J.Ashok, learned Additional Government Pleader appearing for the respondents.

2. This Writ Petition has been filed challenging the impugned order dated 29.06.2024 made in Nee.Mu/179000/2015(A4) passed by 3rd respondent and consequently reinstate the petitioner into service in the same cadre.

3. The petitioner, who is working as a Revenue Inspector at Tirunelveli has been issued with a charge memo on the allegation that the petitioner has married for the second time even when his first marriage is



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in subsistence. In this regard, a criminal case is pending against him. At the conclusion of disciplinary proceedings, the petitioner has been given with the punishment of removal from service.

4.The learned counsel for the petitioner submitted that the criminal case against the petitioner has been closed in view of the compromise entered into between the parties. Though the enquiry officer has discharged the petitioner from all charges, the third respondent did not accept the report and had chosen to take a contrary view and punished the petitioner.

5.It is learnt that the petitioner had filed an appeal. But the appeal has not seen the light of the day so far. Since the petitioner has stated that he has raised contentious points before the second respondent, the second respondent has to take a call to dispose the appeal within a prescribed time limit.

6.In view of the ex-ordinary circumstances involved in this case and also in the light of the criminal case filed against the petitioner



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has been closed, I feel it is appropriate for the second respondent to consider the appeal filed by the petitioner on merits and pass orders within a period of eight weeks from the date of receipt of copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

24.07.2024

NCC : Yes/No
Index : Yes/No
PNM

To

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R.N.MANJULA, J.

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