



Rev.Aplw. No.219 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.09.2025

CORAM

THE HONOURABLE Mr. JUSTICE **G.K.ILANTHIRAIYAN**

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1.Government of Tamil Nadu
Rep. by the Secretary to Government ,
School Education Department,
Secretariat, Chennai-9.

2.The Joint Director of School Education (Personnel),
Chennai-6.

3.The Chief Educational Officer,
Villupuram.

4.The Director School Education,
Chennai-6.

.... Petitioners

Vs.

P.Rajendran

.... Respondent

Prayer : Review Application is filed under Order 47 Rule 1 of C.P.C., read with Section 114 of C.P.C., to review the order passed in W.P.No.24742 of 2013 dated 10.08.2023 and set aside the same.

For Petitioners : Mr.T.Arun Kumar
Additional Government Pleader
For Respondent : No appearance



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ORDER

This Review Application has been filed to review the order passed by this Court in W.P.No.24742 of 2013 dated 10.08.2023, thereby quashed the charge memos issued against the respondent and the respondent was permitted to retire from service with effect from the date of his request for voluntary retirement dated 01.06.2004. The period of absence of the respondent was considered as “leave without pay” and directed the petitioners herein to disburse all monetary benefits to the petitioner within a period of sixteen weeks from the date of receipt of a copy of the order.

2. Heard the learned counsel appearing for the applicants and perused the materials available on record.

3. The writ petition was filed challenging the charge memos on the ground that, even after the completion of the enquiry, final order has not been passed. The respondent was appointed as a Supervisor in Adult Education through Employment Exchange. Subsequently, he was transferred and posted as B.T. Assistant in Government Higher Secondary School, Ramapuram, Cuddalore District, in the year 1993. While being so, he was suspended and was served with a charge memo dated 04.02.1997 for his unauthorised absence. Thereafter, he was served with another charge memo



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under Rule 17(b) of the Tamil Nadu Civil Services (D & A) Rules, alleging that, after his transfer to the Government Higher Secondary School, Nainarpalayam, he was remained absent from 13.07.1998. Subsequently, he was once again served with another charge memo dated 04.08.2025 alleging that he was absent from 22.06.2004 till the date of issuance of charge memo. Pursuant to the said charge memos, an enquiry was conducted and a show cause notice was issued to the respondent.

4. Though the respondent had submitted his explanation to the charge memos, the petitioners did not pass any final order. At the same time, the respondent was not permitted to retire from service on attaining the age of superannuation on 30.09.2011. Therefore, this Court, while considering the writ petition, quashed all the charge memos dated 04.02.1997, 07.12.1999 and 04.08.2005 on the ground of huge delay in passing the final orders.

5. The learned counsel for the applicants would submit that after completion of the enquiry, a final order was passed on 09.06.2009. The applicants herein passed the order as early as on 09.06.2009, thereby removed the respondent from service. The relevant portion of the order



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reads as follows :

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திரு பி.இராஜேந்திரன் அளித்துள்ள விளக்கக் கடிதத்தில் தன்மீது குறிப்பிடப்பட்டுள்ள எந்தக் குற்றச்சாட்டும் தனக்குப்பொருந்தாது என்றும் தன்மீது 'Removal from Service' என்ற நடவடிக்கையினை மேற்கொள்ளாமல் விருப்ப ஓய்வு வழங்கும்படியும் கேட்டுக் கொண்டுள்ளார். அன்னாரின் விளக்கத்தினைக் கவனமாகவும் கனிவுடனும் பரிசீலித்ததில் அவரது விளக்கம் ஏற்கக் கூடியதாக இல்லை எனக் கருதப்படுகிறது.

ஆகவே, தமிழ்நாடு குடிமுறைப்பணிஒழுங்கு மற்றும் மேல்முறையீடுவிதிகளில் விதி 17(சி)(1)ன்படி விதி 8ன்கீழ் விழுப்புரம் மாவட்டம் தும்பூர் அரசு மேல்நிலைப் பள்ளியில் பட்டதாரி ஆசிரியராகப் பணிபுரிந்த திரு பி.இராஜேந்திரன் என்பாரை "அரசுப் பணியிலிருந்து நீக்கம்"(Removal from the Civil services of the State Government) செய்து ஆணையிடலாம் எனக் கீழே கையொப்பமிட்டவரால் முடிவு செய்யப்பட்டு அதன்படி விழுப்புரம் மாவட்டம் தும்பூர் அரசு மேல்நிலைப்பள்ளி பட்டதாரி ஆசிரியர் திரு பி.இராஜேந்திரன், என்பார்மீது தமிழ்நாடு குடிமுறைப்பணிஒழுங்கு மற்றும் மேல்முறையீடுவிதிகளில் விதி 17(ஆ)ன்கீழ் தொடரப்பட்டு நிலுவையிலுள்ள இரு ஒழுங்கு நடவடிக்கைகளில் அன்னாரை "அரசுப் பணியிலிருந்து நீக்கம்"(Removal from the Civil services of the State Government) என்ற தண்டனை வழங்கி ஆணையிடப்படுகிறது.

6. The above order was also duly served on the respondent and the same was duly received by him. However, suppressing the above facts, the respondent approached this Court and obtained the earlier order. Due to



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inadvertence, the applicants also failed to bring the existence of the said order dated 09.06.2009 to the notice of this Court at the time of disposal of the writ petition

7. In view of the foregoing, this Review Application is allowed. Consequently, the order passed by this Court in W.P.No.24742 of 2013 dated 10.08.2023 is recalled. In view of the final order passed by the review applicants on 09.06.2009 removing the respondent from service, the writ petition stands dismissed. No costs.

17.09.2025

Neutral citation :Yes/No
Index:Yes/No
Speaking/Non speaking
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G.K.ILANTHIRAIYAN, J.



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