



W.P.No.17363 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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CORAM:

THE HONOURABLE **MR.JUSTICE RMT.TEEKAA RAMAN**

W.P.No.17363 of 2011

Judgment reserved on 18.02.2025	Judgment pronounced on 07.03.2025
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K.Natarajan

...Petitioner

.....Vs.....

The Tahsildar,
Coimbatore South,
Coimbatore.

.....Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Certiorarified Mandamus, to call for the records connected with proceedings issued in Na.Ka.No.15611/1995/A3 dated 24.06.2010 passed by the respondent herein and quash the same and consequently direct the respondent to reinstate the petitioner into service with all attendant benefits.

For Petitioner : Mr.S.Ilamvaludhi

For Respondent : Mr.V.Veluchamy,
Additional Government Pleader

ORDER



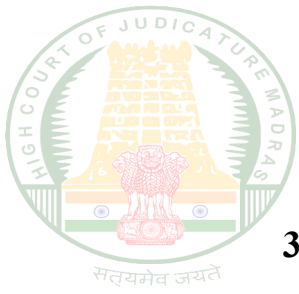
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Challenging the order passed by the respondent-Tahsildar on the representation made by the petitioner. The impugned order dated 24.06.2010, passed by the Tahsildar, Coimbatore South, states that the petitioner cannot be reinstated. This order was issued in response to the representation made by the petitioner, Natarajan.

2(a). Mr. V. Jeevagiridharan, learned Additional Government Pleader, submitted that the writ petition challenges the order of removal from service, which was passed as early as 1997.

(b). Originally, the petitioner was appointed as a part-time menial in Coimbatore South Taluk in 1995. He was issued show-cause notices on 10.02.1996, 30.01.1996, and 23.04.1996. Subsequently, a charge memo was issued to him under Rule 17(b) of the CCA (D&A) Rules on 11.11.1997, stating that he went on leave without prior permission and approval from 01.10.1995 to 15.11.1995. As a result, charges were framed against him for unauthorized absence for a period of 41 days.



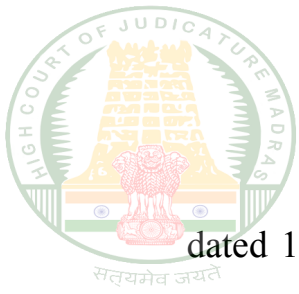
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3. The learned Additional Government Pleader further submitted that an

enquiry was conducted by the then Tahsildar, and it was held that the charges were proved. After affording the petitioner an opportunity to explain, he was removed from service in 1997. The petitioner did not file any appeal against the original order of removal. However, he appears to have made two representations on 11.05.2005 and 23.06.2009. The present impugned order dated 24.06.2010 is merely a consequential communication referring to the original order, which the petitioner has not challenged.

4. After hearing the learned counsel for the petitioner and the learned Additional Government Pleader, I find that the writ petitioner was already removed from service as early as 1997. The petitioner was issued a show-cause notice in 1996 for unauthorized absence. A charge memo was issued under Rule 17(b) of the CCA (D&A) Rules, the charges were proved in the enquiry, and he was subsequently removed from service. Thereafter, he remained silent.

5. In 2005 and 2009, he appears to have submitted two representations,



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dated 11.05.2005 and 23.06.2009, which led to the passing of the impugned order on 24.06.2010. This order is now being challenged in the writ petition.

6. Admittedly, the original order of removal from service was passed in 1997. The petitioner has not challenged the original removal order but has only challenged the reply given by the respondent in response to his representation for reinstatement. Unless the original order of dismissal is challenged, the writ petition is not maintainable and is misconceived.

7. Accordingly, the writ petition is dismissed. No costs.

07.03.2025

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Index : Yes / No

Neutral Citation : Yes/No

To
The Tahsildar,
Coimbatore South,
Coimbatore.

RMT.TEEKAA RAMAN, J.

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