



WEB COPY



W.P.No.3759 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.02.2025

CORAM

THE HON'BLE Mr. JUSTICE **C.V.KARTHIKEYAN**

W.P.No.3759 of 2025

and

W.M.P.Nos.4175 and 4176 of 2025

K.Gavaskar

.. Petitioner

Vs.

The District Collector,
Office of the District Collector,
Krishnagiri.

.. Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records and quash the impugned charge Memo issued by the respondent herein dated 27.09.2024 (served on 09.01.2025) made in Na. Ka. No.4495/2023/A1.

For Petitioner : Mr.S.Lakshmanasamy

For Respondent : Mr.Nanmaran,
Additional Government Pleader



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ORDER

This Writ Petition has been filed in the nature of a Certiorari seeking records relating to a charge memo issued by the respondent, the District Collector, Krishnagiri, dated 27.09.2024 and to quash the same.

2. In the affidavit filed in support of the writ petition, it had been stated that the petitioner was working as Tahsildar, Hosur Taluk, Krishnagiri District. A complaint was lodged before the Vigilance and Anti Corruption Department, Krishnagiri Wing alleging that the Deputy Tahsildar had demanded a bribe amount for issuing a building licence for a school. An FIR in Crime No.01/AC/2023 was registered by the District Vigilance and Anti Corruption Department, Krishnagiri Wing for the alleged offences under Section 7(a) of the Prevention of Corruption Act, 1988. The petitioner was arrested and remanded to judicial custody on 14.02.2023. Thereafter, he was placed under suspension by order dated 16.02.2023. Subsequently, the impugned charge memo was issued to him, which the petitioner claims to have received only on 09.01.2025.



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3. It is contended that the annexures to the charge memo, viz., the list of documents and the list of witnesses, had not been furnished to the petitioner. The petitioner may very well peruse the said documents and he may give a representation in that regard. But, however, it is only incumbent that the petitioner appears for the enquiry and participates in the enquiry. The charge memo cannot be quashed on that narrow ground.

4. In such circumstances, the respondent is directed to permit the petitioner to peruse the documents, if they are voluminous in nature. The enquiry may commence by examination of witnesses and on and from that date, if the petitioner co-operates in cross-examining the witnesses in the disciplinary proceeding, then the disciplinary proceedings may be completed within a period of four months from the date of such commencement of examination of the witnesses.



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5. With the above observations, this Writ Petition is disposed of.

Consequently, the consequently, the connected Miscellaneous Petitions are closed. No costs.

10.02.2025

Index: Yes/No
Internet: Yes/No
Neutral Case Citation: Yes/No
kv

To

The District Collector,
Office of the District Collector,
Krishnagiri.



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C.V.KARTHIKEYAN,J.

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