



WEB COPY

W.P.No.22762 of



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.01.2025

CORAM

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.22762 of 2015

and

M.P.No.1 of 2015

P.I.Ashokaraamasekar

... Petitioner

Vs.

1. Puducherry Housing Board,
Represented by the Chairman,
Anna Nagar, Nellithope,
Puducherry.
2. Secretary to Government for Housing,
Chief Secretary, Puducherry.
3. Secretary, Puducherry Housing Board,
Anna Nagar, Nellithope, Puducherry.
4. M.Sarathy
5. G.Vengadessan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records of the first respondent regarding the charge-memo with No.1984/PHB/Estt./E-3/2013-14/570 dated 19.09.2013 and to quash the same.



For Petitioner : Mr.V.Ajayakumar
For R1 & R3 : Mr.T.M.Naveen
For R2 : Ms.G.D.Jearany,
Government Advocate (Pondicherry)

ORDER

This writ petition has been filed challenging the charge-memo dated 19.09.2013 issued by the respondent Board framing two charges against the petitioner.

2. One such charge is that the petitioner produced a community certificate claiming that he belongs to the SC category, but on enquiry, it has come to the notice of the respondent Board that the petitioner has obtained such community certificate through misrepresentation and fraud. The second charge is with regard to obtaining the birth certificate once again by misrepresentation and fraud.

3. When the matter is taken up for consideration, it is brought to the notice of this court that the community certificate that was produced by the petitioner before the respondent Board, which was found to be one obtained



by misrepresentation, was subsequently cancelled by the District Collector, Puducherry through proceedings bearing No.3270/DRDM/C2/ SC/2013 dated 13.06.2018 and a challenge made against the said proceedings ended in dismissal of W.P.No.16315 of 2018 dated 02.11.2018, and the said order has attained finality with the dismissal of SLP No.3565 of 2019 by an order dated 08.02.2019.

4. Mr.T.M.Naveen, learned counsel for the Respondents 1 and 3 further submitted that, in view of the cancellation of the community certificate of the petitioner, the appointment of the petitioner itself was subsequently cancelled. In view of the same, there is no necessity of conducting any enquiry into the charges that are framed in the impugned charge-memo. He also further submitted that in case if there is any such necessity of conducting enquiry, the Respondent No.2 would take appropriate action in accordance with law.

5. In the light of the above, the relief sought in this writ petition has become infructuous and accordingly, the writ petition is dismissed. No costs. Connected miscellaneous petitions, if any, shall stand closed.



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23.01.2025

skr

Index : Yes / No

Speaking order / Non-speaking order

Neutral Citation : Yes / No

MUMMINENI SUDHEER KUMAR, J.

skr

To

1. The Chairman, Puducherry Housing Board,
Anna Nagar, Nellithope, Puducherry.
2. The Secretary to Government for Housing,
Chief Secretary, Puducherry.
3. The Secretary, Puducherry Housing Board,
Anna Nagar, Nellithope, Puducherry.

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