



W.P.No.5356 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.02.2025

CORAM:

THE HONOURABLE MR. JUSTICE C.V. KARTHIKEYAN

W.P.No.5356 of 2025

S. Krishnakumar

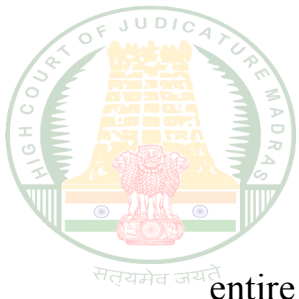
... Petitioner

Vs

1. The Director of Rural Development
& Panchayat Raj,
4th & 5th floor, Building Panagal Maligai,
Abdul Razak Street, Saidapet,
Chennai 600 015.
2. The District Collector
Cuddalore District.
3. The Additional Collectorate Development
The District Rural Development Agency
Cuddalore District.
4. The Block Development Officer,
(VP) Village Panchayat Officer,
Kattumannarkoil,
Cuddalore District 608 301.

.... Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of certiorarified mandamus to call for the



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entire records connected with the impugned order in Na.Ka.Pa AA2/6071/2023 dated 17.12.2024 issued by the 2nd respondent and quash the same and consequently to direct the respondents 1 to 4 to reinstate the petitioner with effect from 17.12.2024 to cadre of Panchayat Union Coordinator in Cuddalore District with all the monetary and other benefits with continuity of service within a stipulated time.

For Petitioner : Mr.G.Mutharasu

For Respondents : Mr.S.Yashwanth
Additional Government Pleader

ORDER

This writ petition has been filed for issuance of a writ of certiorarified mandamus to call for the entire records connected with the impugned order in Na.Ka.Pa AA2/6071/2023 dated 17.12.2024 issued by the 2nd respondent and quash the same and consequently to direct the respondents 1 to 4 to reinstate the petitioner with effect from 17.12.2024 to cadre of Panchayat Union Coordinator in Cuddalore District with all the monetary and other benefits with continuity of service

2. In the affidavit filed in support of the writ petition it had been



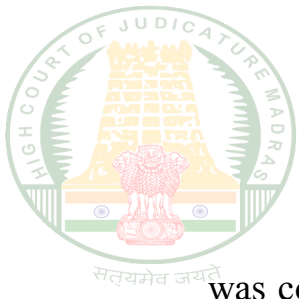
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contended that the writ petitioner had been initially appointed as Panchayat Union Block Coordinator on 20.05.2008. He claimed that he had worked for more than 11 years under the respondents. A charge memo had been issued on 24.08.2023 and enquiry had been conducted and some of the charges had been proved and some of the charges had been partly proved. Thereafter, the impugned order came to be passed dismissing the petitioner from service.

3. The learned counsel for the petitioner submitted that the copy of the enquiry report had not been served on the petitioner and therefore the petitioner was not able to give any further explanation relating to the findings of the enquiry officer and also with respect to the proposed punishment to be imposed.

4. The learned Additional Government Pleader on instructions submitted that consequent to the decision taken to enquire into the entire matter, the Assistant Director (Audit), Virudhachalam had been appointed as Enquiry Officer by proceedings dated 02.09.2024. Thereafter, enquiry



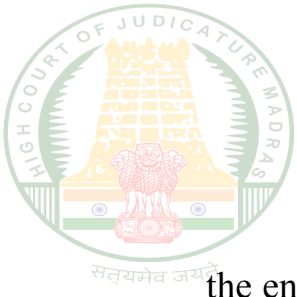
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was conducted and enquiry report dated 08.10.2024 had been forwarded by the Enquiry Officer. The petitioner was then terminated from service by order of the District Collector in Proc.No.PA2/6071/2023 dated 10.12.2024. A copy of the enquiry report was forwarded to the petitioner herein and the petitioner was given an opportunity to raise his representation against the findings of the Enquiry Officer and against the proposed punishment.

5. The learned counsel for the petitioner drew the attention of this Court to the observation of the Block Development Officer, Kattumannarkoil dated 02.01.2025 in Na.Ka.No.A5/1065/2023 wherein it had been opined that the petitioner would be reinstated into service.

6. These are all the factors which could have put forth by the petitioner only if a second show cause notice had been issued to him. Unfortunately, the respondents records do not reveal that such a procedure had been followed. Hence, the matter is remanded back to the respondents and a direction is issued to the respondents to issue a copy of



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the enquiry report to the petitioner and also to issue a second show cause notice giving opportunity to the petitioner to raise his grievance relating to the findings and also relating to the proposed punishment to be imposed and thereafter the respondents may pass appropriate orders taking into consideration of all facts.

7. The respondents are directed to issue a copy of the enquiry report to the petitioner on or before 17.03.2025 and if they propose to issue a second show cause notice they must issue the second show cause notice on or before 24.03.2025 and thereafter afford an opportunity to the petitioner to reply to the same.

8. With the above observations and directions, the writ petition is disposed of. No costs.

24.02.2025

dpq
Index: Yes/No
Speaking order / Non speaking order

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