



WEB COPY



W.P.No.29338 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.08.2025

CORAM :

**THE HONOURABLE MR.JUSTICE M.S.RAMESH**  
**AND**  
**THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN**

W.P.No.29338 of 2025  
and W.M.P.No.32884 of 2025

1.Union of India,  
Rep. by the Under Secretary to Government,  
Ministry of Health and Family Welfare,  
Nirman Bhavan, New Delhi.

2.The Director,  
Central Leprosy Teaching & Research Institute,  
Chengalpattu.

...Petitioners

Vs.

Dr.V.V.Sairam Babu

...Respondent

**Prayer:** Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Certiorari, calling for the records relating to the order passed by the Central Administrative Tribunal, Chennai Bench in OA/310/01269/2018 dated 27.09.2024 and quash the same.

For Petitioner : Mr.V.Chandrasekaran



WEB COPY



W.P.No.29338 of 2025

**ORDER**

(Order of the Court was made by *M.S.RAMESH,J.*)

Heard Mr.V.Chandrasekaran, learned counsel for the petitioners. In view of the final order to be passed in this Writ Petition, notice to the respondent is dispensed with.

2. The petitioners herein had initiated departmental proceedings under Rule 14 of CCS(CCA) Rules, 1965 against the respondent through a Charge memorandum dated 31.08.2009, which reads as follows:-

*“That Dr.V.V.Sairam Babu CMO(NFSG), the then Port Health Officer, Chennai Sea Port, Chennai while functioning as Port Health Officer, Chennai demanded an illegal gratification of Rs.6,000/- for issuing PHO Certificate to Shri N C Alexander, Proprietor, M/s N C Alexander, T/H-24, Anna Fruit Market, Koyambedu, Chennai-92, for the consignment of fruits. Dr.Sairam Babu was caught red handed while accepting the bribe amount on 19/12/2008. He was arrested by CBI on 19.12.2008 and remanded to judicial custody on 20.12.2008.*

*By his aforesaid act, Dr.V.V. Sairam Babu, has failed to maintain absolute integrity and acted in a*



WEB COPY



W.P.No.29338 of 2025

*manner unbecoming of a Government servant thereby contravened the provision of Rule 3.1(i)(ii) and (iii) of CCS (Conduct) Rules, 1964.”*

3. On denial of the charges, an oral enquiry was conducted and the above charge was held as proved. Not being satisfied with the further explanation given to the proven charges, the respondent was imposed with a punishment of compulsory retirement on 30.07.2013. When the respondent had challenged the order of punishment before the Central Administrative Tribunal (hereinafter referred to as 'the CAT') in O.A.No.1716 of 2014, the order of punishment was set aside on the ground that the UPSC advice, on which reliance was placed by the Disciplinary Authority in the punishment order, was not served and accordingly remanded the matter back to the Disciplinary Authority with a direction to serve the respondent with the UPSC advice and gave an opportunity to the respondent to submit his representation. Thereafter, the respondent had also submitted his representation, which was rejected by the petitioners on 21.08.2018. When the respondent had challenged this rejection order before the CAT in O.A.No.1269 of 2018, the application came to be allowed on 27.09.2024 on the ground that the charge against the respondent that he was caught red



W.P.No.29338 of 2025

handed was factually incorrect. This order of the CAT is assailed in this Writ Petition.

4. We had perused the original order of punishment of compulsory retirement, along with the enquiry officer's report dated 17.02.2012. From these records, we find that the charge against the respondent that he was caught red handed, while accepting the bribe of Rs.6,000/- on 19.12.2008, was factually incorrect. On the other hand, it is submitted by the enquiry officer himself that the bribe amount of Rs.6,000/- was received by one Mr.Manisekaran from Mr.Boopathy. The phenolphthalein test was also not conducted on the respondent herein and no money was recovered from him. All these aspects are not in dispute. Even on preponderance of probabilities, there was no evidence against the respondent herein implicating him of either receiving the bribe amount or recovery of any amount from him.

5. Incidentally, the criminal case registered against the respondent herein by the CBI in FIR registered in Rc.62/A/2008 dated 19.12.2008 was also closed by the Principal Judge for CBI Cases in CrI.M.P.No.84 of 2010 dated 30.03.2010. In this background, the CAT had rendered its finding that



W.P.No.29338 of 2025

there was no independent evidence sufficient enough for the Disciplinary Authority to come to the conclusion that the respondent was caught red handed while receiving the bribe.

6. During the pendency of the disciplinary action before the authority, the respondent had reached the age of superannuation. Since we do not approve the order of punishment of compulsory retirement against the respondent herein, he would be entitled only for the service and other monetary benefits.

7. In the result, the Writ Petition stands dismissed with a direction to the petitioners herein to forthwith pass appropriate orders, disbursing the retirement benefits of the respondent, including the service and other monetary benefits, within a period of four weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

[M.S.R, J.] [V.L.N, J.]  
14.08.2025

Index:Yes  
hvk



WEB COPY



*W.P.No.29338 of 2025*

**M.S.RAMESH, J.**  
**and**  
**V.LAKSHMINARAYANAN, J.**

*hvk*

To

The Central Administrative Tribunal,  
Chennai Bench.

W.P.No.29338 of 2025

14.08.2025