



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED : 08.09.2025

CORAM :

THE HONOURABLE MR. JUSTICE **A.D.JAGADISH CHANDIRA**

W.P.No.32241 of 2025

A.P.Raju

... Petitioner

Vs

1. The State of Tamil Nadu,
Represented by its Secretary to Government,
Commercial Taxes & Registration Department,
Secretariat, Chennai – 600 009.

2. The Inspector General of Registration,
100, Santhome High Road,
Chennai – 600 028.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records of the impugned charge memo No.3184/V1/V2/2018-2 issued by the second respondent dated 19.03.2025 and quash the same and consequently direct the first respondent to release the entire monetary retirement and pensionary benefits to the petitioner with interest as directed by this Court in W.P.No.155371 of 2013 dated 31.07.2023 and pass orders.

For Petitioner : Mr.Naveen Kumar Murthi
for Mr.M.Mahamani

For Respondents : Mr.U.Baranidharan
Special Government Pleader



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ORDER

Mr.U.Baranidharan, learned Special Government Pleader accepts notice on behalf of the Respondents. With consent of the learned counsel on either side, the writ petition is taken up for final disposal.

2. This Writ Petition has been filed to quash the impugned charge memo No.3184/V1/V2/2018-2 issued by the second respondent dated 19.03.2025 and direct the first respondent to release the entire monetary retirement and pensionary benefits to the petitioner with interest as directed by this Court in W.P.No.155371 of 2013 vide order dated 31.07.2023.

3. The case of the petitioner is that the petitioner was initially appointed as Sub-Registrar and subsequently, he was promoted to the post of District Registrar and at the time of superannuation, he served as Deputy Inspector General of Registration. Before his retirement, a charge memo dated 17.08.2011 was issued by the first respondent followed by yet another charge memo dated 27.08.2011, issued by the second respondent. Aggrieved by the same, the petitioner filed W.P.No.15371 of 2013 seeking to quash the aforesaid charge memos. During the pendency of the said writ petition, the



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first respondent discharged the petitioner from both charge memos and again, the second respondent issued one more charge memo dated 19.03.2025 wherein it has been alleged that the petitioner had ordered the registration of “Eri Poramboke” land in the year 2010, for which, an FIR was lodged against the petitioner. The issuance of charge memo, after an inordinate delay of fifteen years is a substantial ground to quash the charge memo dated 19.03.2025. Hence, this petition.

4. The learned counsel for the petitioner submits that the charge memo dated 19.03.2025 relates to an allegation that the petitioner has registered a document in the year 2010. In respect of the very same allegation, a case came to be registered in Cr.No.10/AC/2017 dated 26.12.2017 by the Department of Vigilance and Anti-corruption, Chennai City-3 which culminated into a charge sheet in Special Case No.5 of 2022 on the file of the learned Special Judge, Kanchipuram and this Court, by order dated 18.12.2024 in CrI.R.C.No.1102 of 2022, has also discharged the petitioner. Against the order passed by this Court in CrI.R.C.No.1102 of 2022, no SLP has been preferred. While so, the impugned charge memo dated 19.03.2025 has been issued. The charge against the petitioner in the Criminal Case as well

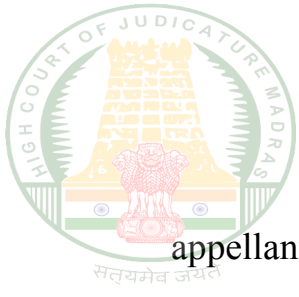


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as the Charge memo is one and the same and there is no explanation about the issuance of charge memo after a lapse of 15 years. Apart from the delay, the petitioner also has a good case on merits and thereby, he would seek for quashing the charge memo.

5. The learned counsel for the Special Government Pleader would submit that there was no dispute in respect of registering a document pertaining to “eri poramboke” land in the year 2010 and the criminal case ended only in 2024. Therefore, the delay in issuance of charge memo is not fatal to initiate proceedings against the delinquent officer and therefore, he seeks for dismissal of this petition.

6. Admittedly, the charge against the petitioner is that he had registered document which was pending on suspicion. In ***P.V.Mahadevan Vs. MD, T.N. Housing Board (reported in (2005) 6 SCC 636)***, the Supreme Court, taking into consideration, the delay of 10 years in initiation of departmental action against the appellant therein and finding that no explanation was given by the employer in respect of delay, quashed the charge memo, holding that the length of time would cause much prejudice to the



appellant.

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7. In the instant case, admittedly, the charge memo was issued after 15 years and there is no explanation forthcoming on the side of the employer for the said delay. Therefore, this Court is inclined to allow this writ petition and quash the charge memo.

8. Accordingly, this Writ Petition is allowed and the impugned charge memo No.3184/V1/V2/2018-2 issued by the second respondent dated 19.03.2025 is hereby quashed. Consequently, connected Miscellaneous Petition is closed. No costs.

08.09.2025

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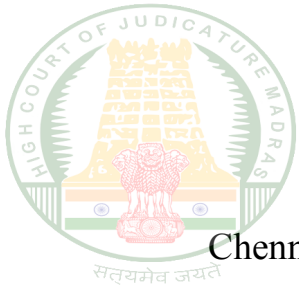
Index: Yes/No

Internet: Yes/No

Speaking Order/Non-speaking order

To

1. The State of Tamil Nadu,
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2. The Inspector General of Registration,
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