



W.P.No.34702 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.09.2025

CORAM:

THE HON'BLE MR.JUSTICE **A.D.JAGADISH CHANDIRA**

W.P.No.34702 of 2025

and

WMP.No.38889 of 2025

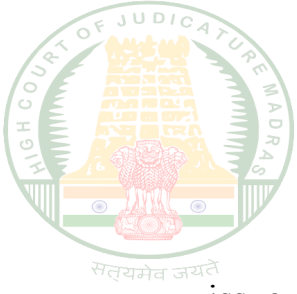
P.Ragavan

...Petitioner

Vs.

1. The Director,
Fire and Rescue Services Department,
No.17, Rukmani Lakshmipathy Road,
Egmore, Chennai – 600 008.
2. The Joint Director,
Fire and Rescue Services Department,
West Zone, Coimbatore – 641 018.
3. The Enquiry Officer,
Office of the District Fire Officer,
Fire and Rescue Services Department,
Erode District – 638 001.
4. The District Fire Officer,
Office of the District Fire Officer,
Fire and Rescue Services Department,
Erode District – 638 001.

...Respondents



W.P.No.34702 of 2025

Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records and quash the impugned dismissal order vide Na.Ka.No.1406/Aa1/2020 dated 22.08.2023 passed by the 2nd respondent and consequentially direct the 1st respondent to remand back the matter to the 2nd respondent for fresh consideration, after affording adequate and reasonable opportunity to the petitioner in accordance with law.

For Petitioner : Mr.A.Ashwinkumar

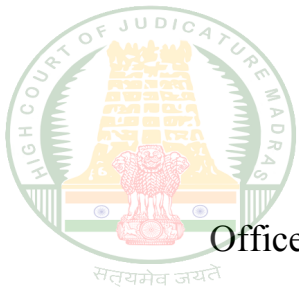
For Respondents : Mr.Yogesh Kannadasan, Spl.GP

ORDER

This Writ petition has been filed seeking quashment of the dismissal order passed by the 2nd respondent in Na.Ka.No.1406/Aa1/2020 dated 22.08.2023 and for a consequential direction to the 1st respondent to remand the matter to the 2nd respondent for fresh consideration.

2. Mr.Yogesh Kannadasan, learned Special Government Pleader takes notice on behalf of the respondents. In view of the consent expressed by the learned counsel on either side, this Writ petition is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that he was working as a Station



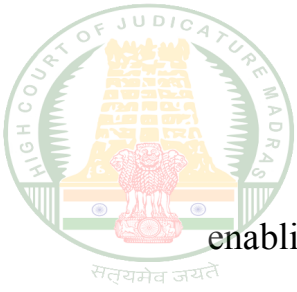
W.P.No.34702 of 2025

Officer in the Fire and Rescue Services Department, Tiruppur District.

WEB COPY

While so, all of a sudden, the petitioner was arrested and remanded to judicial custody on 28.02.2020 in connection with C.R.No.1/2020/AC/TPR filed under Section 7(a) of the Prevention of Corruption Act, 1988, as amended by the Prevention of Corruption (Amendment) Act, 2018, for the alleged offence of demanding a sum of Rs.20,000/- as illegal gratification for issuance of a No Objection Certificate to start a petrol bunk. Subsequently, the 2nd respondent initiated disciplinary proceedings as against the petitioner and passed the present impugned dismissal order on 22.08.2023 vide Na. Ka1406/Aal/2020. Challenging the same, the petitioner has come up with this Writ petition.

4. Learned counsel for the petitioner submitted that the present impugned order passed by the 2nd respondent is devoid of merits and unsustainable in law, as the same has been passed, without affording sufficient opportunity of hearing to the petitioner to establish his case. Learned counsel further submitted that pursuant to the present impugned order, the petitioner has not been paid with any subsistence allowance,



W.P.No.34702 of 2025

WEB COPY

enabling him to meet his day to day needs. Therefore, the petitioner made a representation in this regard on 20.11.2023, however, the same evoked no response. Learned counsel further submitted that the criminal case filed against the petitioner has been taken on file in Spl.C.C.No.1 of 2022 and the same is pending before the learned Chief Judicial Magistrate, Tiruppur. Accordingly, he prayed for setting aside the impugned order and to remand the matter to the 2nd respondent for fresh consideration. Learned counsel for the petitioner further submitted that till such time, the impugned dismissal order shall be kept in abeyance and the petitioner may be paid with subsistence allowance.

5. Per contra, the learned Special Government Pleader appearing on behalf of the respondents submits that as against the impugned dismissal order passed by the 2nd respondent, there is an effective appeal remedy available before the 1st respondent and without availing the said appeal remedy, filing the present writ petition is wholly unsustainable. Accordingly, he prayed for dismissal of this Writ petition.

6. Heard learned counsel on either side and perused the materials



W.P.No.34702 of 2025

available on record.

WEB COPY

7. Though very many grounds have been raised by the learned counsel for the petitioner at the time of arguments, as rightly pointed out by the learned Special Government Pleader, without exhausting the appeal remedy available before the 1st respondent, filing the present Writ petition under Article 226 of Constitution of India is not maintainable.

8. In view of the above, the present Writ petition challenging the impugned order without filing statutory appeal, holds no water and therefore, this Court, without going into the merits of the case, while dismissing this Writ petition, grants liberty to the petitioner to prefer an appeal before the 1st respondent, as against the impugned dismissal order passed by the 2nd respondent on 22.08.2023, within a period of two (2) weeks from the date of receipt of a copy of this order. Upon such appeal being filed, the 1st respondent shall consider the same and pass appropriate orders on merits and in accordance with law, within a period of twelve (12) weeks thereafter, after affording an opportunity of hearing to the petitioner



W.P.No.34702 of 2025

and aggrieved persons, if any.

WEB COPY

9. With the aforestated liberty, this Writ petition stands dismissed. No costs. Consequently, the connected miscellaneous petition is closed.

17.09.2025
(2/2)

skt

Index : Yes/No
Speaking order : Yes/No
NCC : Yes/No

To:

1. The Director,
Fire and Rescue Services Department,
No.17, Rukmani Lakshmipathy Road,
Egmore, Chennai – 600 008.
2. The Director,
Fire and Rescue Services Department,
West Zone, Coimbatore – 641 018.
3. The Enquiry Officer,
Office of the District Fire Officer,
Fire and Rescue Services Department,
Erode District – 638 001.



WEB COPY



W.P.No.34702 of 2025

A.D.JAGADISH CHANDIRA, J.

skt

4. The District Fire Officer,
Office of the District Fire Officer,
Fire and Rescue Services Department,
Erode District – 638 001.

W.P.No.34702 of 2025
and
WMP.No.38889 of 2025
(2/2)

17.09.2025



WEB COPY



W.P.No.34702 of 2025

WMP.No.38888 of 2025

in

W.P.No.34702 of 2025

A.D.JAGADISH CHANDIRA, J.

The present miscellaneous petition filed seeking to dispense with the production of the certified copy of the impugned order vide Na.Ka.No.1406/Aa1/2020 dated 22.08.2023 passed by the 2nd respondent, is ordered as prayed for.

17.09.2025
(1/2)

skt