



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-12-2025

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

REV.APLW No.258 of 2025

R.N.Dhanasekaran
S/o.Narayanaswamy
Plot No.88, 2nd Right Cross Street
Golden Nagar
Near Loganathan Gas Agency
Katpadi Vellore-632 014

Review Applicant

Vs

1. The Additional Chief Secretary to Government
Highways And Minor Posts (HL1) Department
Secretariat, Chennai-600009.
- 2.The Director General
Highways Department, Chennai-600025.

Respondents

Memorandum of Grounds of Review Application filed under Order XLVII Rule 1 of the Code of Civil Procedure to review the order dated 04.09.2024 made in W.P.No.25950 of 2024.

For Rev.Applicant: Mr.E.Sathiyaraj

For Respondents: Mr.M.Murali
Government Advocate

ORDER

This review application has been filed to review the order passed by this Court in the writ petition on 04.09.2024.



2. The main ground on which this review application was moved was that the charge memo itself was issued against the review applicant based on a First Information Report, which was registered in Crime No.5 of 2020 in which the name of the review applicant was not found. Ultimately, on completion of investigation, the closure report was filed on 25.02.2025, on the ground that no offence was made out against any of the accused persons. Therefore, the present review application has been brought before this Court by stating that the very basis on which the charge memo was issued does not survive and accordingly the order passed in the writ petition requires a review.

3. The learned Government Advocate appearing on behalf of the respondents submitted that even if the criminal proceedings have been dropped, that will not debar the employer from proceeding further with the departmental action. To substantiate the same, the learned Government Advocate relied upon G.O.(Ms) No.66, Human Resources Management (N) Department dated 06.07.2022. The learned Government Advocate further submitted that pursuant to the order passed by this Court, the enquiry officer has also been appointed by means of G.O.(Rt) No.217, Highways and Minor Ports (HL1) Department dated 12.09.2025 and the enquiry is going to be conducted by following the procedure laid down under Rule 17(b) of the Tamil Nadu Civil Services (Discipline & Appeal) Rules.



4. In the considered view of this Court, when the Court is dealing with a review application, the Court must only see if the order suffers from an error apparent on the face of the order. The Court can never take into consideration an event that took place after the passing of the final order. In this case, admittedly, the closure report was filed by the Investigation Officer only on 25.02.2025, which is after the order was passed in the writ petition on 04.09.2024. Therefore, this subsequent development cannot be a cause of action to review the order passed on 04.09.2024.

5. If according to the petitioner, the very basis of the charge memo was the criminal case that was registered, the entire charge memo must fall to the ground, since the criminal case has ended in a closure report. This ground can be taken by the review applicant while submitting his reply to the charge memo and it can be urged before the enquiry officer. It is made clear that the order passed in the writ petition will not stop the review applicant from taking this ground. This clarity will sufficiently take care of the grievance expressed by the review applicant. No further orders can be passed in this review application.

6. This review application is disposed of in the above terms. No costs.

19-12-2025

SS



To

1. The Additional Chief Secretary to Government
Highways And Minor Posts (HL1) Department,
Secretariat, Chennai-600009.
2. The Director General
Highways Department, Chennai- 600025.



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**N.ANAND
VENKATESH J.**

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