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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2025

CORAM:

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

W.P. No.38183 of 2025
and
W.M.P .Nos.42669 and 42679 of 2025

K. Sakthivel ... Petitioner

vs.

1. The Principal Secretary,
Revenue Disaster Management ,
Fort. St. George, Chennai - 600 009.

2. The Commissioner
Revenue Administration,
Chepauk, Chennai-600-005.

3. The District Collector,
Kancheepuram,
Chengalpattu.

4. The Enquiry Officer,
Administrative Officer (Judicial),
Office of the District Collector,
Chengalpattu. … Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus, to call for the records of the 3rd respondent in charge memo dated 24.11.2023 In Na.Ka.No.13067.2020.A1 and the consequential proceedings of the 3rd Respondent in Na.Ka.no. 13067/2020/A1 dated 04.08.2025 and quash the same.

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For petitioner : Ms. Dakshayani Reddy
Senior Counsel
for Ms.S. Suneetha

For respondents : Mr.V. Jeevagiridharan
Addl. Govt. Pleader
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ORDER

Mr.V.Jeevagiridharan, learned Additional Government Pleader, takes notice for respondents. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. Short facts leading to filing of this writ petition are as follows :-

a) The petitioner was originally appointed as a Senior Revenue Inspector in the year 2013, and was subsequently promoted to the post of Headquarters Deputy Tahsildar in the year 2018, and thereafter, to the post of Deputy Tahsildar in the year 2020, at Maduranthakam, Chengalpattu District. While so, a charge memo was issued to him on 25.01.2021 on the ground that he indulged in mutation of patta without obtaining valid registered documents.

b) Though initially charges under Rule 17(a) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules were framed on 25.01.2021, later, for the same set of allegations, charges under Rule 17(b) were issued vide proceedings dated 24.11.2023. Based on the findings of the Enquiry Officer, a

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punishment of withholding of one annual increment for one year with cumulative effect was imposed on him. The said order was also challenged by him, earlier.

c) While so, in the year 2024, without including his name, the respondents prepared a panel for the year 2018 for the post of Tahsildar on the ground that disciplinary proceedings is pending against him under Rule 17(b). Further, the 3rd respondent, once again imposed the punishment of withholding of an increment for one year with cumulative effect, vide proceedings dated 04.08.2025.

d) According to the petitioner, the charge memo dated 24.11.2023 and the order of punishment imposed on him, vide proceedings dated 04.08.2025 by the 3rd respondent is wholly unjustfiable.

e) Under such circumstances, this writ petition has been filed, seeking quashment of charge memo dated 24.11.2023 as well as the proceedings dated 04.08.2025 issued by the 3rd respondent.

3. Learned counsel for the petitioner would submit that the second charge was issued under Rule 17(b), *ibid*, to the petitioner for the same set of

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allegations, which were earlier raised under Rule 17(a). Further, he submitted that the report of the Enquiry Officer was not furnished to the petitioner before imposing the punishment, vide proceedings dated 04.08.2025 by the 3rd respondent. He vehemently argued that the charge memo invoking Rule 17(b) was issued only on 24.11.2023 after a period of three years. All the above circumstances clearly indicate that there was a prolonged delay in initiating and concluding the disciplinary proceedings. In view of the same, the charge memo dated 24.11.2023 as well as the proceedings dated 04.08.2025 issued by the 3rd respondent are liable to be quashed, and the writ petition deserves to be allowed.

4. Per contra, the learned Additional Government Pleader appearing for respondents would submit that the petitioner, having participated in the enquiry proceedings, cannot, at this stage, raise the ground challenging the charge memo. Therefore, he submitted that the impugned proceedings viz., charge memo dated 24.11.2023 and consequential proceedings dated 04.08.2025, have been issued in accordance with law and the same do not warrant interference and the writ petition is liable to be dismissed.

5. This Court finds force in the submission made by the learned Additional Government Pleader. When the charge memo was issued on 24.11.2023, nothing prevented the petitioner from challenging the same.

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Instead, he preferred to participate in the enquiry proceedings and after allowing the respondents to impose punishment, the petitioner has woken up from slumber like Rip Van Winkle to challenge the charge memo and the punishment order, which attitude cannot be countenanced in service jurisprudence. Therefore, this Court is not inclined to interfere with the impugned proceedings.

6. For the aforesaid reasons, this writ petition stands dismissed. However, petitioner is granted liberty to work out his remedy in the manner known to law. No costs. Consequently, connected miscellaneous petitions are closed.

09.10.2025

Index:Yes/No
Speaking/Non-speaking order
Neutral Citation : Yes/No
vsi2

To
1. The Principal Secretary,
Revenue Disaster Management ,
Fort. St. George, Chennai - 600 009.

A.D. JAGADISH CHANDIRA, J.

vsi2

2. The Commissioner
Revenue Administration,
Chepauk, Chennai-600-005.

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3. The District Collector,
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