



WEB COPY

W.A.No.1021 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE **R.SUBRAMANIAN**
AND
THE HONOURABLE MR.JUSTICE **G. ARUL MURUGAN**

W.A.No. 1021 of 2025
and CMP No.8328 of 2025

1. The State of Tamil Nadu, Rep.
By its Agriculture Production
Commissioner & Secretary to Government,
Fort St. George, Chennai 9.

2. The Director of Horticulture &
Plantation Crops,
Chepauk, Chennai 5.

...Appellants

Vs.

R. Thangadurai
S/o. Ramaiah,
Assistant, O/o. The Director of
Horticulture and Plantation Crops,
Chepauk, Chennai 5.

...Respondent

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent, to set aside
the order passed in WP No.10910 of 2012 dated 15.02.2024.



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For Appellant : Mr.K.H.Ravikumar
Government Advocate

J U D G M E N T

*(Judgment of the Court was delivered by **R.SUBRAMANIAN, J.**)*

Challenge is the order dated 15.02.2024 made in WP No.10910 of 2012. The prayer in the Writ Petition was for an issue of Writ of Certiorarified Mandamus to quash the order passed on 04.02.2012 imposing a punishment of stoppage of increment for one year without cumulative effect.

2. The petitioner in the Writ Petition was working as an Assistant was charged with dereliction of duty for his failure to get the utilization certificate audited properly resulting in sanction of funds for the same project by both the Central as well as the State Governments. Departmental enquiry was conducted and the petitioner in the Writ Petition was found guilty. Consequent upon such finding, the punishment as aforesaid was imposed on him.

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3. Upon challenge the Writ Court found that it was not the responsibility of the petitioner who was working as an Assistant at that time. The Writ Court referred to the Enquiry Report wherein it was specifically recorded that the files relating to the audit of utilization slips or grant of Central Government funds were to be handled by officers only.

4. In such backdrop, the Writ Court had found that the petitioner was not responsible for handling the file relating to utilization funds and therefore, he cannot be accused of dereliction of duty. This being the factual finding we do not think that we could interfere with the same.

5. The learned Single Judge has found that it was the Assistant Director of Agriculture who was responsible for utilization of funds and it is for him to have got the utilization certificate audited. Once it is found that, the petitioner was not responsible for the work he cannot be accused of dereliction of duty.



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6. Hence, we do not see any reason to interfere with the order of the Writ Court, the Appeal fails and it is accordingly dismissed. There shall be no order as to costs. Consequently, the connected miscellaneous petition is closed.

(R.SUBRAMANIAN, J.) (G. ARUL MURUGAN, J.)

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jv

Index : No
Neutral Citation : No
Speaking order

To

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