



WEB COPY

WP No. 45462 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-11-2025

CORAM

THE HONOURABLE MR JUSTICE G.K. ILANTHIRAIYAN

WP No. 45462 of 2025

1. M.Mani

Petitioner(s)

Vs

1. The District Collector
Collectorate, Krishnagiri-635115

2.The District Revenue Officer
Collectorate Complex,
Krishnagiri -635 001

3.The Revenue Divisional Officer
Bangalore Road, Veerappan Nagar,
Krishnagiri-635 001

4.The Thasildar
Pochampalli Taluk, Krishnagiri
District

Respondent(s)

PRAYER

Writ Petition filed under Article 226 of the Constitution of India, praying to issue Writ of Certiorarified Mandamus, calling for the records pertaining to Order dated 30.10.2017 made in Na.Ka.7962/2010/A by the Respondent No.3 herein and to quash the same and consequently direct the Respondents herein to settle the retirement benefits to the petitioner within a time stipulated by this Court

For Petitioner(s): Mr.S. Bharanidharan

For Respondent(s): Mr.R.Murthi
Government Advocate



ORDER

This writ petition has been filed challenging the order of punishment dated 30.10.2017 on the file of the third respondent thereby removed the petitioner from service.

2. The petitioner was appointed as Village Administrative Officer. On the complaint given against the petitioner, FIR has been registered in Crime No.6/AC/2010/KG for offences punishable under Sections 7, 13(2) read with 13(1)d of Prevention of Corruption Act, 1988 on the file of Vigilance and Anti Corruption, Krishnagiri. In pursuant to the registration of the FIR, the petitioner was arrested and remanded to judicial custody. Therefore, he was deemed to be suspended by order dated 15.12.2010. After completion of investigation, charge sheet has been filed in Crime No.6 of 2010 and the same has been taken cognizance by the trial court in Special CC No.4 of 2012 on the file of the Chief Judicial Magistrate Krishnagiri. After full fledged trial, the trial court convicted the petitioner for the offences under Section 7 of the Prevention of Corruption Act, and sentenced to undergo 6 months rigorous imprisonment with fine of Rs.200/-. He was also convicted for offence under Sections 13(2) r/w with 13(1)d of Prevention of Corruption Act, 1988 and sentenced him to undergo one year rigorous imprisonment with fine of Rs.200/-. As against the order of conviction, the petitioner preferred appeal before this Court in CrI.A.No.147 of 2017.



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3. While being so, in view of the order of conviction, the petitioner was removed from service by order dated 30.10.2017. The appeal filed by the petitioner in CrI.A.No.147 of 2017 was allowed by this Court by judgment dated 25.06.2024 and the conviction and sentence imposed on the petitioner is set aside by this Court. In pursuant to the same, the petitioner submitted a representation seeking setting the order of punishment and also permitting the petitioner to retire from service on attainment of age of superannuation with all terminal benefits.

4. Though the petitioner was convicted by the trial court for the offences under Prevention of Corruption Act, no disciplinary proceedings had been initiated as against the petitioner. In pursuant to the order of conviction, the petitioner was removed from service. Now this Court set aside the order of conviction and sentence imposed on the petitioner for the offences under the Prevention of Corruption Act. Therefore, the basis for order of removal now has been set aside by this Court and as such the order of removal cannot be sustained and liable to be quashed. Accordingly, the order dated 30.10.2017 made in Na.Ka.7962/2010/A is quashed. Since the petitioner has attained the age of superannuation on 30.11.2013, the reinstatement into service does not arise. Therefore, the third respondent is directed to allow him to retire from service and disburse all his terminal benefits, within a period of eight weeks



from the date of receipt of a copy of this order.

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5. With the above directions, the writ petition stands allowed. No costs.

26-11-2025

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



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