



WEB COPY



W.P.No.48176 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.12.2025

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THE HONOURABLE MR.JUSTICE M.DHANDAPANI

**W.P.No.48176 of 2025
And
W.M.P.No.55324 of 2025**

B.Sivakumar

... Petitioner

Vs.

1.The Commissioner of Revenue Administration,
Chepauk,
Chennai – 600 005.

2.The District Collector,
Kancheepuram
Kancheepuram District.

3.The District Revenue Officer,
Kancheepuram
Kancheepuram District.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records in connection with the order of the third respondent dated 26.08.2019 in Na.No.50582/2008/A2 and to quash the same, and consequently direct the respondents to reinstate the petitioner into service with all attendant benefits.



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For Petitioner : Mr.D.Selvaraju
For Respondents : Mr.K.Surendran
Additional Government Pleader

ORDER

This writ petition has been filed seeking issuance of Writ of Certiorarified Mandamus to call for the records in connection with the order of the third respondent dated 26.08.2019 in Na.No.50582/2008/A2 and to quash the same, and consequently direct the respondents to reinstate the petitioner into service with all attendant benefits.

2.The learned counsel appearing for the petitioner submitted that the petitioner was selected through the Tamil Nadu Public Service Commission and was appointed as Junior Assistant in the Revenue Department on 10.10.1995 and was promoted as Assistant (Revenue Inspector Grade) during the year 2001 and worked as Assistant Grade Revenue Inspector at the office of the Special Thasildar (Land Acquisition), Chennai Airport Expansion Scheme, Sriperumpudur. While the petitioner was working in Chennai Airport Expansion Scheme, the land and building belonging to one Mohammed Ismail



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was acquired and thereafter the said land owner removed high value immovables from the property and the petitioner informed the same to the higher officials, however, a case was registered against the petitioner by the Vigilance and Anti Corruption Wing Police on 20.11.2008 in Crime No.7/AC/2008 and the Special Court (Chief Judicial Magistrate, Chengalpattu) vide judgment dated 03.10.2018 convicted the petitioner for the offence under Section 7 and 13(1)(d) r/w 13(2) of Prevention of Corruption Act and aggrieved by the same, the petitioner preferred appeal before this Court in C.A.No.617 of 2018 and this Court vide judgment dated 16.09.2025 set aside the judgment of conviction and directed to refund the fine amount, however, for the very same set of facts, without conducting any enquiry, the third respondent passed the impugned order.

3.The learned counsel appearing for the petitioner further submitted that for conducting disciplinary proceedings under Section 17(b) of the Tamil Nadu Civil Service (Discipline and Appeal) Rules, the authority has to appoint Enquiry Officer and conduct enquiry and has to follow the procedure contemplated under Section 17(b) of the said Rules, however, the third respondent without following the



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procedure contemplated under Section 17(b) of the said Rules, straight away passed the impugned order which is not sustainable one.

4.The learned Additional Government Pleader appearing for the respondents submitted that pursuant to the judgment of this Court dated 16.09.2025 in C.A.No.617 of 2018, the petitioner was reinstated in service vide proceedings of the third respondent dated 18.12.2025. Hence, this Court may set aside the order impugned in this writ petition and grant liberty to the respondents to initiate proceedings under Section 17(b) of the Tamil Nadu Civil Service (Discipline and Appeal) Rules as against the petitioner.

5.Recording the submission made by the learned Additional Government Pleader, the order impugned in this writ petition is set aside. Liberty is granted to the respondents to initiate proceedings under Section 17(b) of the Tamil Nadu Civil Service (Discipline and Appeal) Rules as against the petitioner and the same shall be concluded strictly in terms of the procedure contemplated under Section 17(b) of the Tamil Nadu Civil Service (Discipline and Appeal) Rules.



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6.The writ petition is allowed on the above terms. No costs.

Consequently, the connected miscellaneous petition is closed.

19.12.2025

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Index: Yes/ No

Speaking Order: Yes/ No

NCC: Yes/ No

To

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M.DHANDAPANI,J.
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