



W.P.No.25696 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2025

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.25696 of 2018 and
W.M.P.No.29881 of 2018

A.Arunachalam

... Petitioner

Vs.

The Revenue Divisional Officer,
Athur 636 102,
Salem,
Salem District.

... Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, to call for the records of the respondent relating to Memo.No.Na.Ka.826/2003/A1 dated 23.07.2018 and quash the same.

For Petitioner : Mr.S.Surya for
Mr.M.Ravi

For Respondent : Mr.A.M.Ayyadurai, GA



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ORDER

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This Writ Petition has been filed to call for the records of the respondent relating to Memo.No.Na.Ka.826/2003/A1 dated 23.07.2018 and quash the same.

2. Heard Mr.S.Surya, learned counsel for the petitioner, Mr.A.M.Ayyadurai, learned Government Advocate for the respondent and perused the materials available on record.

3. The petitioner was serving as a Village Administrative Officer and during his service period, he was placed under suspension on 29.06.2004 at the verge of his retirement, in view of the proceedings initiated against the petitioner by the Vigilance and Anti-corruption Unit, Salem in Cr.No.2/1997/AC on 17.02.1997. A charge sheet has also been filed against the petitioner in the said case before the Chief Judicial Magistrate, Salem. The petitioner was not permitted to retire from service on the date of superannuation on 30.06.2004 as he was placed under suspension. The criminal case pending against him ended in acquittal in Spl.CC.No.55 of 1999 on 18.11.2013. The petitioner has been given with



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the charge memo on 23.07.2018 on the same set of allegations. The petitioner has filed this Writ Petition challenging the above charge memo issued to him on 23.07.2018.

4. The learned counsel for the petitioner submitted that though the petitioner was acquitted in the criminal case on 18.11.2013 itself, he was not permitted to retire by stating that the criminal appeal filed by the respondent in C.A.No.152 of 2014 was pending.

5. The learned Government Advocate for the respondent submitted that the Criminal Appeal filed by the Department was allowed on 02.03.2023 and thereafter, the petitioner was dismissed from service.

6. The learned counsel for the petitioner further submitted that against the judgment passed in the Criminal Appeal, a Special Leave Petition has been filed before the Hon'ble Supreme Court.

7. However, in view of the order of dismissal, the Writ Petition filed challenging the charge memo itself has become infructuous.



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8. In the result, this Writ Petition is closed and the petitioner is at liberty to challenge the order of dismissal, if he is so advised. No costs. Consequently, connected miscellaneous petition is closed.

Index : Yes /No
Speaking / Non-speaking
Neutral Citation : Yes / No
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To
The Revenue Divisional Officer,
Athur 636 102,
Salem,
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R.N.MANJULA, J.

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