

**W.A(MD) No.88 of 2023**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**WEB COPY**

**Dated : 03.06.2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN  
AND  
THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**W.A(MD) No.88 of 2023  
&  
C.M.P.(MD)No.1089 of 2023**

**N.Aboothahir**

**... Appellant / Writ Petitioner**

**Vs**

**1.The District Collector,  
Kanyakumari District,  
Kanyakumari.**

**2.The Sub Collector,  
Badmanabapuram,  
Kanyakumari District.**

**... Respondents / Respondents**

**PRAYER:** Writ Appeal filed under Clause 15 of Letters Patent, praying this Court to set aside the order dated 09.12.2022 passed by this Court in W.P.(MD)No.27809 of 2022.



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For Appellants : Mr.Mohammed Imran  
for M/s.Ajmal Associates

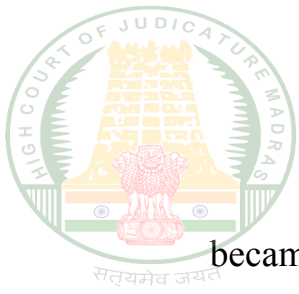
For Respondents : Mr.N.Satheesh Kumar  
Additional Government Pleader

### **ORDER**

(Order of the Court was made by **G.R.SWAMINATHAN, J.**)

The appellant was selected and appointed as Senior Revenue Inspector in the year 2020. He was subsequently removed from service on the ground that he had suppressed his involvement in political activities and in a criminal case. Challenging the removal order, the appellant filed W.P.(MD)No.27809 of 2022. The writ petition was dismissed on the ground that the petitioner can very well avail appeal remedy. Challenging the order dated 09.12.2022 dismissing the writ petition, this intra-court appeal has been filed.

2. The learned counsel appearing for the appellant pointed out that the appellant was not even aware of his implication in Crime No.566 of 2013 on the file of the Thucklay Police Station. According to him, he



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became aware of his involvement only much later and that he filed Crl.O.P.(MD)No.1576 of 2022 and that the proceedings were quashed by one of us (GRSJ) on 28.01.2022. The appellant however admits that he was very much a member of the Popular Front of India. But then, he discontinued the association way back in the year 2015 itself. The appellant thereafter shifted to Chennai and prepared for competitive examination.

3. The learned counsel for the appellant states that the appellant is a physically challenged individual. The learned counsel for the appellant states that during the relevant time, the Popular Front of India was not a banned organization and that involvement in political activities cannot by itself be a disqualification. We do appreciate the contentions of the learned counsel for the appellant. But then, we are of the view that it is for the authority concerned to satisfy themselves on two counts.

(I) Whether suppression in the facts and circumstances of the case would go to the root of the matter leading to disqualification.

(II) Whether the appellant had completely discontinued his association with the said organization.



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4. It is for these twin reasons, we are not in a position to interfere with the order passed by the learned single Judge. After all, the learned single Judge had not gone into the merits of the matter. All the contentions of the appellant are left open. The appellant states that he will file an appeal before the appellate authority within a period of two weeks from the date of receipt of a copy of this order. If such an appeal is filed within the said time limit, it shall be disposed of on merits and in accordance with law within a period of three months thereafter.

5. The Writ Appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

**(G.R.S., J.)      (K.R.S., J.)**  
**03.06.2025**

Index : Yes / No  
Internet : Yes / No  
NCC : Yes / No  
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