



W.P.(MD).No.15007 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 14.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE VIVEK KUMAR SINGH

W.P.(MD)No.15007 of 2025

and

W.M.P.(MD)No.11223 & 11224 of 2025

M.Asaik

... Petitioner

-vs-

1. The Secretary to Government,
Rural Development and Panchayat Raj Department,
Fort. St. George, Chennai - 600009.

2. The Director,
Rural Development and Panchayat Raj,
Chepauk, Chennai - 600005.

3. The District Collector,
Madurai.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the impugned order Na.Ka. No. 3109/2015/Vu.Va-5 dated 24.12.2021 issued by the 2nd respondent and Na.Ka.No. 50719/2023/TPC 2.1 dated 14.10.2024 issued by the 3rd respondent to quash the same.



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For Petitioner : Mr.V.R.Shanmuganathan

For Respondents : Mr.K.Balasubramani

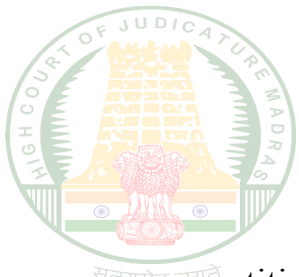
Special Government Pleader

ORDER

This writ petition has been filed challenging the impugned order passed in Na.Ka. No. 3109/2015/Vu.Va-5 dated 24.12.2021 issued by the 2nd respondent and in Na.Ka.No. 50719/2023/TPC 2.1 dated 14.10.2024 issued by the 3rd respondent.

2. Heard the learned counsel on either side and perused the material placed before this Court.

3. The learned counsel appearing for the petitioner submits that the petitioner joined the government service as 'Junior Assistant' on 11.05.1988 and was promoted as 'Block Development Officer' on 27.12.2012 and he has been working with utmost sincerity. While this being so, the second respondent passed an order of imposing the punishment of two years increment cut with cumulative effect vide order dated 24.12.2021, which was also confirmed, in the appeal filed by the petitioner, vide order dated 14.10.2024 passed by the third respondent. Challenging the same, the



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petitioner filed this writ petition.

4. The learned Special Government Pleader appearing for the respondents submits that the petitioner, aggrieved by the impugned orders, has a statutory appellate remedy available under Rule 20 of the Tamil Nadu Government Servants Conduct Rules and Tamil Nadu Civil Service Discipline and Appeal Rules. The learned Special Government Pleader further submits that the only remedy available to the petitioner is to approach the Government, if aggrieved by the impugned orders. Without approaching the said authority, the petitioner has straightaway approached this Court under Article 226 of the Constitution of India.

5. This Court, after considering the rival submissions, is of the considered view that the petitioner will have to necessarily prefer an appeal as prescribed under Rule 20 of the Tamil Nadu Government Servants Conduct Rules and Tamil Nadu Civil Service Discipline and Appeal Rules, if aggrieved by the impugned orders.

6. For the foregoing reasons, the petitioner is directed to prefer an appeal as against the impugned orders, as per Rule 20 of the Tamil Nadu



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Government Servants Conduct Rules and Tamil Nadu Civil Service Discipline and Appeal Rules, within a period of two months from the date of receipt of a copy of this order. On receipt of the same, the concerned authority, who was not in the earlier proceedings, shall dispose of the appeal within a period of four weeks thereafter. It is also made clear that this Court has not expressed any of its views with regard to the merits of the matter and that it is open to the first respondent to consider the same on its own merits.

7. With the aforesaid directions, this writ petition is disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

14.07.2025

NCC : Yes/No
Index : Yes / No
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VIVEK KUMAR SINGH, J.

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Order made in
W.P.(MD)No.15007 of 2025

Dated:
14.07.2025