



W.P.(MD)No.6413 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.10.2025

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THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

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S.Manthiramoorthy

... Petitioner

Vs.

1.The Revenue Divisional Officer,
Tirunelveli,
Tirunelveli District.

2.The Sub Collector,
Cheranmahadevi (Division),
Tirunelveli District.

3.The Tahsildhar,
Palayankottai,
Tirunelveli District.

4.The Special Tahsildhar,
(Social Security Scheme),
Palayankottai Taluk,
Tirunelveli District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the third respondent in Se.Mu.No.A2/239/2021 dated 10.09.2022 and the impugned order passed by the first respondent in



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Se.Mu.No.A7/3183/2022 dated 15.12.2022 and quash the same and consequently to reinstate the petitioner into the service as Village Assistant.

For Petitioner : Mr.Aayiram K.Selvakumar

For Respondents : Mr.A.Baskaran,
Additional Government Pleader

ORDER

This writ petition has been filed challenging the impugned orders passed by the respective respondents dismissing the petitioner from service.

2. It is now brought to the notice of this Court by the learned counsel appearing for the petitioner that a co-delinquent, who was also dismissed from service, preferred a review before the Additional Chief Secretary / Commissioner of Revenue Administration (CRA) as against the said dismissal, and by order dated 28.08.2024, the order of dismissal from service was modified to one of three years increment cut with cumulative effect. The said order of the Additional Chief Secretary / Commissioner of Revenue Administration (CRA) has also been placed on record by the learned counsel appearing for the petitioner.



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3. On the last hearing date, the learned Additional Government Pleader appearing for the official respondents was directed to get instructions as to whether the petitioner, who was also framed with the same set of charges in the disciplinary proceedings as that of the co-delinquent, can also be imposed with the very same punishment by modifying the punishment to one of three years increment with cumulative effect as was done in the case of Madasamy. The petitioner was serving as a Village Assistant and Madasamy was serving as the Village Administrative Officer. Both of them have been charged in the disciplinary proceedings for allegedly being responsible for the issuance of pattas in favour of their relatives. As seen from the charges, they are one and the same insofar as the petitioner / Manthiramoortthy and Madasamy are concerned. Hence, there cannot be a different punishment for the petitioner and Madasamy. The learned counsel would also submit that the petitioner is satisfied, if the same punishment, which was awarded to Madasamy, through the modification order dated 22.08.2024 passed in the review petition filed by Madasamy before the Additional Chief Secretary / Commissioner of Revenue Administration (CRA), is also awarded to the petitioner. However, the petitioner has not filed any review petition as was done by Madasamy before the first respondent. Necessarily, the petitioner will have to exercise the said remedy by filing a review petition before the District Revenue Officer



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concerned to enable the petitioner to get benefit as was given to Madasamy whose punishment was modified to one of three years increment cut with cumulative effect from one of dismissal from service.

4. The learned Additional Government Pleader appearing for the respondents has also not raised any serious objection. However, liberty is granted to the petitioner to file a review petition before the District Revenue Officer within a time frame to be fixed by this Court and the Reviewing Authority (DRO) is directed to pass final orders on merits and in accordance with law, in the light of the order dated 22.08.2024 passed by the Additional Chief Secretary / Commissioner of Revenue Administration (CRA) by an order reducing the punishment of Madasamy to one of three years increment cut with cumulative effect instead of dismissal from service within a time frame to be fixed by this Court.

5. Accordingly, this Writ Petition is disposed of by directing the petitioner to file a review petition before the District Revenue Officer, Tirunelveli, within a period of two weeks from the date of receipt of a copy of this order. On receipt of the same, the District Revenue Officer shall entertain the said review petition and pass final orders on merits and in accordance with



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law in the light of the order dated 22.08.2024 passed in favour of Madasamy, who is a co-delinquent with the petitioner by modifying the punishment to one of three years increment cut with cumulative effect from one of dismissal from service within a period of twelve weeks thereafter. The District Revenue Officer shall entertain the review petition without returning the said petition on the ground of limitation, since the direction has been issued by this Court.

6. Accordingly, this writ Petition stands disposed of. No costs.

24.10.2025

NCC:yes/no

Index:yes/no

Internet:yes/no

TSG

To

1.The Revenue Divisional Officer,
Tirunelveli,
Tirunelveli District.

2.The Sub Collector,
Cheranmahadevi (Division),
Tirunelveli District.

3.The Tahsildhar,
Palayankottai,
Tirunelveli District.

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4.The Special Tahsildhar,
(Social Security Scheme),
Palayankottai Taluk,
Tirunelveli District.

5.The District Revenue Officer, Tirunelveli.



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ABDUL QUDDHOSE, J

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