



W.P.(MD)No.8450 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 27.03.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.(MD)No.8450 of 2025

and

W.M.P(MD)No.6314 and 6315 of 2025

S.Abdul Jaffer

... Petitioner

Vs.

1.The Revenue Divisional Officer,
O/o. Revenue Divisional Officer,
Tirunelveli District.

2.The Tahsildar,
Tirunelveli,
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 from the office of the first respondent relating to the impugned order of suspension and charge memo issued by the first respondent in ROC No. A7/9868/2011 dated 30.01.2012 and Na.No.A7/9868/2011, dated 30.01.2012 respectively, and his consequential impugned order in ROC.No.A7/9868/2011, dated 30.01.2012 not allowing the petitioner to retire and quash the same and consequently direct the respondents to pay all service, monetary and retirement benefits with arrears and interest.



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For Petitioner : Mr.H.Arumugam

For Respondents : Mr.M.Siddharthan
Additional Government Pleader

ORDER

This writ petition is filed against the proceedings of the first respondent, dated 30.01.2012 and consequently direct the respondents to pay all service, monetary and retirement benefits with arrears and interest.

2. The case of the petitioner is that he worked as Village Administrative Officer. A criminal case was registered against him in Crime No.28 of 2009 by the City Crime Branch, Tirunelveli. On 30.01.2012, he was kept under suspension under Rule 17(e) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules. Thereafter, a charge memo was issued. He was not allowed to retire on 31.01.2012 but retained in service. The petitioner requested the first respondent to furnish the documents and the first respondent directed the second respondent on 04.10.2012 to furnish the documents. But those documents were not provided. Again on 10.01.2013, the first respondent directed the second respondent to furnish documents. Thereafter also, no action was taken.



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3. The learned counsel for the petitioner contends that there is no delay on the part of the petitioner in participating in the enquiry but the departmental proceedings was not concluded till date. For the past 13 years, the petitioner has been retained in service, this is clear case of abuse of process of law.

4. The learned Additional Government Pleader for the respondents submits that he will ascertain from the respondents whether the enquiry is concluded or not.

5. If enquiry is not concluded, there is no necessity to approach this Court now. It appears that the disciplinary proceedings are pending with the second respondent.

6. In view of the same, in our considered view, it is appropriate and reasonable to dispose of this writ petition at the admission stage without going into the merits of the case with the consent of both sides with a direction to the second respondent to conclude the enquiry as expeditiously as possible to meet the ends of justice.



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WEB COPY 7. Accordingly, this writ petition is disposed of with the following directions:

1. The second respondent is directed to furnish the documents sought by the petitioner and as directed by the first respondent vide his letter, dated 14.10.2012 and 10.01.2013 within a period of one week from the date of receipt of a copy of this order.

2. On receipt of the said documents, the petitioner shall submit his explanation within two weeks thereafter.

3. On receipt of the explanation, the second respondent shall conclude the enquiry within four weeks thereafter.

No costs.

Consequently, the connected miscellaneous petitions are closed.

27.03.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
Sn



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WEB **To:** COPY

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Tirunelveli District.
- 2.The Tahsildar,
Tirunelveli,
Tirunelveli District.



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BATTU DEVANAND, J.

Sn

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