BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Date of Reserving the Order	Date of Pronouncing the Order
08.10.2025	24.11.2025

CORAM:

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.(MD) No.8209 of 2024
and
W.M.P.(MD) No.7416 of 2024

S.Jeyarajan ... Petitioner

-vs-

1.The Additional Chief Secretary
to Government
Revenue Department
St.George Fort
Secretariat, Chennai

2.The District Collector
Dindigul District
Dindigul

3.The District Revenue Officer /
Enquiry Officer
Collectrate, Madurai

4.The District Revenue Officer
Dindigul District
Dindigul ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the entire records in connection with the impugned order passed by the 1st respondent in G.O.(2D) No.140 Revenue and Disaster Management dated 23.05.2023 and quash the same as illegal and consequently directing the respondents herein to include the petitioner name in the post of Tahsildar for the panel of 2017 and give all other attended benefits to the petitioner.

For Petitioner : Mr.D.Anbarasu

For Respondents : Mrs.P.B.Ahamed Yashmin Parvin
Government Advocate

ORDER

This Writ Petition had been filed to quash the impugned order passed by the 1st respondent in G.O.(2D) No.140 Revenue and Disaster Management dated 23.05.2023 as illegal and consequently directing the respondents herein to include the petitioner name in the post of Tahsildar for the panel of 2017 and give all other attendant benefits to the petitioner.

2. Heard Mr.D.Anbarasu, learned counsel appearing for the petitioner and Mrs.P.B.Ahamed Yashmin Parvin, learned Government Advocate appearing for the respondents.

3. The learned counsel appearing for the petitioner would submit that the petitioner is working as a Deputy Thasildar, Kodaikanal Taluk, Dindigul District. Initially, he had joined as Typist in the Assistant Taluk Office, Kodaikanal and then got promoted as Revenue Assistant and thereafter as a Revenue Inspector and now promoted as Deputy Tahsildar. A Government Order was issued in the year 2006 enabling the encroachers in the Government land and who have constructed house and were residing in the said land for more than 10 years to receive patta in respect of the said land. The first respondent and the Special Commissioner and Commissioner of Land Administration, Chennai had given instruction to all District Collectors to collect particulars in this regard to find out the beneficiaries as per the Government Order. The period of eligibility criteria of 10 years in occupation was also reduced to five years by G.O.Ms.No.34, dated

23.01.2008. The petitioner had joined in the services as Revenue Inspector at Kodaikanal on 12.11.2007 and on the instructions given by the Revenue Divisional Officer, Kodaikanal, proposes were sent to the second respondent on various dates. The Tahsildar, Kodaikanal was instructed to overlook the place of the beneficiaries and give proper measurement work and sent a detailed report. Prior to his posting as a Revenue Inspector Kodaikanal, the beneficiaries were identified by the Revenue Divisional Officer Kodaikanal and he had submitted a detailed report to the District Revenue Officer. After the petitioner took charge as Revenue Inspector, Kodaikanal, he had followed the above said work and had never sent any independent report. The third respondent returned the proposal made by the Revenue Divisional Officer on 30.12.2008 with an instruction to rectify the defect in the proceedings of the Revenue Divisional Officer.

4. The primary defect that has been pointed out was that there has been no recommendations from the Village Administration Officer or the Revenue Inspector. The first respondent by G.O.2D.No.612, dated 28.12.2015 initiated common disciplinary proceedings against 5 persons

under Rule 9A of the Tamil Nadu Civil Service (Discipline and Appeal) Rules. Based upon which the first respondent issued a charge memo to the petitioner accusing the petitioner of three charges to which the petitioner had given a detailed reply through the District Collector, Dindigul.

5. The third respondent was appointed an Enquiry Officer to enquire into the above said charges and the petitioner had also participated in the enquiry and placed on record the materials that the petitioner had not sent any report. After completion of enquiry, further explanation has also been called for which has also been given by the petitioner, but however under the impugned order, a punishment of a cut of his petitioner's yearly increment for a period of one year without cumulative effect was imposed on the petitioner.

6. When the petitioner had not even sent any report, it is not known as to how the Enquiry Officer has come to a conclusion that a report had been sent by the petitioner. Except for the files, no witnesses have been examined to substantiate the findings in the files that had

been relied upon in the enquiry proceedings. When the proceedings of the District Revenue Officer, which returned the proposal of the Revenue Divisional Officer specifically indicated that there has been no report of the Village Administrative Officer or the Revenue Inspector concerned on the proposals submitted by the Revenue Divisional Officer, it is not known as to how the petitioner who was working as a Revenue Inspector, was found to have given such a report. Therefore, he would submit that the charge that had been framed against the petitioner is on unfounded allegation and on the ground itself the impugned order is liable to be set aside and prays this Court to set aside the order of punishment to that had been imposed against the petitioner.

7. Countering his arguments, the learned Government Advocate appearing for the respondents would submit that the petitioner who was working as Revenue Inspector Kodaikanal had submitted erroneous proposals for regularisation of encroachments to the District Collector, Dindigul without verifying the eligibility of beneficiaries and also without conducting proper field inspection with the help of field staff concerned. The proposals submitted by the petitioner and other Revenue and

Survey officials were found contrary to the Government Orders in force for recommending the issue of house site patta to which the houses were not constructed. Hence, a disciplinary proceedings was directed to be initiated against the petitioner and an enquiry officer was also appointed to enquire into the charges and the charges framed against the petitioner, were all found to be proved by the enquiry officer. She would submit for the delinquency that had been committed by the petitioner a minimum punishment had only been imposed against the petitioner, even though the petitioner had claimed that he had not signed the proposals. The Enquiry Officer categorically found that the petitioner had signed. The proposals without any date in most of the cases and therefore, the petitioner cannot disown his responsibility or even disown the proposals that has been sent by him. Therefore, he prays this Court to dismiss this Writ Petition.

8. I have considered the submissions made by the learned counsel appearing on either side and perused the materials placed on record.

9. The petitioner had been slapped with the charge memo wherein three charges have been framed. First charge is that the petitioner even without verification of the applications and without carrying out any inspection had recommended the grant of patta to various individuals. Second charge is that the petitioner without even verifying the applications as whether it is supported by a B-memo or house tax receipts, ration card and the family voters card had recommended grant of patta to members belonging to the same family and that the third charge is that the petitioner had derelicted his duties. It is the claim of the petitioner that no proposals were recommended by the petitioner. In support of the same, he had relied upon the communication of the District Revenue Officer, Dindigul addressed to the Revenue Divisional Officer, Kodaikanal indicating the defects in the proposals sent by the Revenue Divisional Officer. The first defect is that the proposals do not have the report of the Village Administrative Officer or the Revenue Inspector which post the petitioner held. Further the files of the District Collector which has been relied upon as document No.1 against the petitioner would indicate that the proposals of the Tahsildar, Kodaikanal runs contrary to the field inspection report and that the proposals were

sent without the Revenue Inspector, Regional Deputy Tahsildar and Revenue Divisional Officer without inspecting the property and various infirmities have been found in the proposals based upon the files of the office of the Collector which included the charge No.2.

10. It is to be noted that the District Revenue Officer, Dindigul had returned the proposals of the Revenue Divisional Officer Kodaikanal on 30.12.2008 indicating that there has been no reports of the Village Administrative Officer or Revenue Inspector recommending grant of patta. While that being so, it is not known as to how the enquiry officer had given a categorical finding that the petitioner had given a report recommending ineligible occupants.

11. It is further to be noted that there has been no loss caused to the Government as no action has been initiated for grant of patta pursuant to the Government orders in favour of the beneficiaries.

12. For the aforesaid reasons, this Court is of the view that the disciplinary proceedings initiated against the petitioner itself is based on

unfounded allegations and for that reason, the impugned order of punishment is liable to be set aside.

13. In fine, the Writ Petition is allowed and the impugned order is set aside. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

24.11.2025

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

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To:

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to Government,
Revenue Department,
St.George Fort,
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2.The District Collector,
Dindigul District,
Dindigul.

3.The District Revenue Officer /
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K.KUMARESH BABU, J.

pbn

PRE-DELIVERY ORDER
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