



W.A(MD)No.1093 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.07.2025

CORAM

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

**W.A(MD)No.1093 of 2025
and
C.M.P(MD)Nos.6869 & 9984 of 2025**

- 1.The Additional Chief Secretary,
Commissioner of Revenue Administration,
St.George Fort,
Chennai.
- 2.The District Collector,
Office of the District Collector,
Collectorate,
Madurai District.
- 3.The District Revenue Officer,
Office of the District Revenue Officer,
Collectorate Complex,
Madurai District.

... Appellants /
Respondents

Vs.

S.Karuppiya

... Respondent /
Petitioner



W.A(MD)No.1093 of 2025

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent to set aside the order of this Court made in W.P(MD)No.15966 of 2023 dated 26.07.2024.

For Appellants : Mr.Veera.Kathiravan
Additional Advocate General
Assisted by Mr.N.Satheesh Kumar
Additional Government Pleader

For Respondent : Mr.M.Karthikeya Venkitachalapathy

JUDGMENT

(By G.R.SWAMINATHAN, J.)

Heard both sides.

2.The State is on appeal challenging the order dated 26.07.2024 passed by the learned single Judge allowing W.P(MD)No.15966 of 2023 filed by the respondent herein. The respondent herein was working as Tahsildar. He reached the age of superannuation on 31.05.2023. One day prior to his date of retirement, he was served with the suspension order. A charge memo was also issued to him vide Na.Ka.No.PA1/820257/20. Challenging the same, the aforesaid writ petition was filed and the learned single Judge citing G.O(Ms)No.111 Human Resources Management (N) Department dated 11.10.2021 allowed the writ petition. The learned single Judge took the view



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that such issuance of charge memo and suspension order on the eve of one's retirement was not sustainable.

3.We are not able to agree. The charge against the writ petitioner is rather serious. It is alleged that the writ petitioner had parcelled out the land meant for Adi Dravidars and issued pattas in favour of as many as 21 individuals. If the charge is true, it is a very serious thing. Our attention is drawn to the order dated 02.04.2024 made in W.P(MD)No.10364 of 2023 passed by a learned single Judge of this Court. One K.Suresh Rengababu had filed the said writ petition seeking direction for taking action against the private respondents named therein. The respondent herein was shown as the fourth respondent in the said writ petition.

4.The learned counsel for the writ petitioner herein would claim that the said writ petition was disposed of behind his back. The allegation in the said writ petition was that free house plots meant for Adi Dravidars were diverted. That apart, it was alleged that the writ petitioner demanded illegal gratification and received part of it. Taking into account all these allegations, this Court directed the Director of Vigilance and Anti Corruption Department to complete the enquiry which had already been initiated within a period of six months.



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WEB COPY 5.G.O Ms No.111, Human Resources Management Department, dated 11.10.2021 itself makes it clear that the instructions set out therein shall not be made applicable to cases of Directorate of Vigilance and Anti Corruption enquiry and criminal cases. Against the writ petitioner, V&AC enquiry has already been ordered. Therefore, the said G.O could not have been relied upon for granting relief.

6.The writ petitioner ought to be relegated to face the departmental enquiry. These are not matters which can be short circuited in writ proceedings. We therefore set aside the order dated 26.07.2024 made in W.P(MD)No.15966 of 2023.

5.This Writ Appeal is allowed accordingly. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

[G.R.S., J.] [K.R.S., J.]

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