



W.P.(MD)No.17016 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 31.10.2025

CORAM

THE HONOURABLE MR JUSTICE ABDUL QUDDHOSE

W.P.(MD)No.17016 of 2023

and

W.M.P.(MD).Nos.14235 and 15343 of 2023

N.Malaipandian

... Petitioner

Vs.

1.The Additional Chief Secretary
/ Commissioner of Revenue Administration,
Chepauk,
Chennai - 600 005.

2.The District Collector,
Virudhunagar,
Virudhunagar District.

3.The District Revenue Officer,
District Collector's Office,
Virudhunagar District.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order of the second respondent in Na.Ka. A5/5957/2022 dated 04.04.2022 quash the same, subsequently directing the respondents regularize the period of suspension.



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For Petitioner : Mr.S.Ramsndarvijayraj
For Respondents : Mr.A.Baskaran,
Additional Government Pleader

ORDER

This writ petition has been filed challenging the impugned charge memo dated 04.04.2022 issued by the second respondent.

2.The petitioner, who is a Village Administrative Officer, has been found by the respondents to have committed an act of mis-conduct along with the Tahsildar in issuing a patta in favour of a landholder. The petitioner claims that he is innocent and that he has recommended for the issuance of patta only based on the Civil Court decree passed in O.S.No.107 of 2009 dated 07.12.2009 on the file of the District Munsif Court, Virudhunagar.

3. The petitioner has challenged the impugned charge memo on the ground that the same has been issued arbitrarily and illegally without application of mind. The petitioner has also submitted an explanation to the impugned charge memo as seen from the affidavit filed in support of the writ petition. It is well settled that only in cases where, on the face of it, there is a



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glaring mistake committed by the respondents while issuing the charge memo,

WEB this Court, through a writ petition filed under Article 226 of the Constitution of India, can interfere with regard to a charge memo issued to a delinquent. This case is not one such case where interference of a charge memo is called for. The petitioner had indeed recommended the issuance of patta to the Tahsildar concerned and therefore, it is not a case where the petitioner was totally unconnected with the issuance of the charge memo. Therefore, the question of interfering with the impugned charge memo in the preliminary stage of the disciplinary proceedings does not arise. Necessarily, the petitioner will have to participate in the enquiry and prove his innocence.

4. It is brought to the notice of this Court by the learned Additional Government Pleader appearing for the respondents that the co-delinquents in the case on hand, who had also approached this Court, by filing writ petitions, have been directed to participate in the enquiry and their writ petitions also came to be dismissed. The orders passed by this Court in those writ petitions filed by the co-delinquents have also been placed on record by the learned Additional Government Pleader appearing for the respondents.



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5. For the foregoing reasons, necessarily, the petitioner will have to participate in the enquiry proceedings to be conducted by the respondents in the disciplinary proceedings initiated against the petitioner and the question of this Court interfering with the impugned charge memo does not arise.

6. The learned Additional Government Pleader appearing for the respondents would also submit that if a time frame is fixed by this Court, the respondents shall complete the enquiry within the said period.

7. In the result, this writ petition is disposed of by directing the respondents to complete the enquiry in the disciplinary proceedings initiated against the petitioner pursuant to the impugned charge memo and the Enquiry Officer is directed to submit a report within a period of four months from the date of receipt of a copy of this order. However, it is made clear that the petitioner shall co-operate in the enquiry proceedings to enable the Enquiry Officer to submit a report within the stipulated period. No costs. Consequently, the connected miscellaneous petitions are closed.

31.10.2025

NCC:yes/no
Index:yes/no
Internet:yes/no
TSG

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To

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ABDUL QUDDHOSE, J.

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