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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 15.12.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI,J.

WP(MD)No.18063 of 2023

and W.M.P(MD).No.15073 of 2023

R.Mahalakshmi

... Petitioner

Vs.

1.The Principal Secretary/
Commissioner of Commercial Taxes,
Chepauk, Chennai -05.

2.The Joint Commissioner (CT),
Intelligence, Trichy.

3.The Assistant Commissioner (CT),
Intelligence, Trichy.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order passed by the first respondent in Ref.No.CD2/56321/2003-I dated 04.05.2023 and quash the same as illegal and unconstitutional insofar as petitioner is concerned, consequently forbear the first respondent from terminating the petitioner from service without following due process.

For Petitioner

: Mr.N.Mohideen Basha



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For Respondents : Mr.G.V.Vairam Santhosh
Additional Government Pleader

ORDER

The petitioner, who was working as Assistant Commercial Tax Officer, was placed under suspension for his involvement in a criminal case registered by the Directorate of Vigilance and Anti-Corruption in Crime No.23 of 2003. The Vigilance and Anti-Corruption Department has also filed a final report and the same was prosecuted before the learned Chief Judicial Magistrate, Kumbakonam, in Special Case No.21 of 2014 for the offences punishable under Section 7 of Prevention of Corruption Act, 1988, r/w Section 109 of IPC and under Section 13(1)(d) r/w 13 (2) of Prevention of Corruption Act, 1988, r/w Section 34 of IPC. The trial Court found this petitioner guilty for the above said offences and convicted and sentenced him with 2 years simple imprisonment along with a fine amount. Based on the judgment of the learned Chief Judicial Magistrate, Kumbakonam, in Special Case No.21 of 2014, the first respondent has issued a show cause notice with the proposed punishment as per Rule 17 (c) (i)(1) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules. Aggrieved by that, the petitioner has filed this writ petition.



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2. However, this petitioner has failed to prosecute the case, when the writ petition was taken up for hearing on 18.10.2024. Therefore, the case was directed to be listed under the caption 'for dismissal' on 21.10.2024. Even on that day, there was no representation for the petitioner and therefore, the writ petition was dismissed for default by order dated 21.10.2024.

3. The petitioner, by changing the counsel, has filed an application seeking to restore the writ petition. This Court, by its order dated 12.12.2025 has restored this writ petition and directed the writ petition to be posted 'for final disposal' today. (i.e., 15.12.2025).

4. When this writ petition is taken up for hearing, the learned Additional Government Pleader appearing for the respondents, on instructions, submits that the first responder has already passed an order of dismissal as per the powers conferred under Rule 17(c)(i)(1) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules and the petitioner was imposed with the penalty of 'dismissal from service' as specified under clause (viii) of Rule 8 of the Tamil Nadu Civil Services (Discipline and Appeal) Rule, by order dated 18.03.2025.



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5. In view of the above, this Writ Petition is closed with the liberty to the petitioner to challenge the order of dismissal in the manner known to Law. No costs. Consequently, connected Miscellaneous Petition is also closed.

15.12.2025

NCC : Yes/No
Index : Yes/No
Rmk

To

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2. The Joint Commissioner (CT),
Intelligence, Trichy.
3. The Assistant Commissioner (CT),
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B.PUGALENDHI,J.

Rmk

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