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WP No. 23609 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-03-2026

CORAM

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

**WP No. 23609 of 2016
and W.M.P.No.20225 of 2016**

M.V.Gopalan,
Formerly Field Supervisor,
O/o. the Inspector, Town Land & Survey Office,
Kavundampalayam Municipality, Coimbatore,
115, Poonthottam, Vellaikinar, Coimbatore

..Petitioner(s)

Vs

1. The Additional Director of
Survey and Land Records, Chepauk,
Chennai- 600 005.
2. The Regional Deputy
Director of Survey and Land Records,
Coimbatore Region, Coimbatore
3. The Assistant Director of
Survey And Land Records, Coimbatore.

..Respondent(s)

Writ Petition is filed under Article 226 of the Constitution of India, to call for the records relating to the orders in (1) Pro. Na. Ka. No.LLA.1/ 35237/ 14 dated 26.03.2015 of the first Respondent (2) pro. Na. Ka. No. A4/ 712/ 2014 dated 30.06.2014 of the Second Respondent and (3) Pro. Na. Ka. No. A8/ 3948/ 2013 dated 20.11.2013 of the third Respondent and quash the same and to issue consequential directions to the respondents to reinstate the petitioner into service with all consequential benefits.

For Petitioner(s):

Mr.S.Madhu Balaji for
Mr.M.Ravi



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For Respondent(s):

Mr.R.Neelakandan, AAG,
Assisted by Ms.M.Keerthika, GA

ORDER

This Writ Petition has been filed seeking to quash the orders in Pro. Na. Ka. No.LLA.1/ 35237/ 14 dated 26.03.2015 on the file of the first Respondent, in Pro. Na. Ka. No. A4/ 712/ 2014 dated 30.06.2014 on the file of the Second Respondent and in Pro. Na. Ka. No. A8/ 3948/ 2013 dated 20.11.2013 on the file of the third Respondent and consequently, to direct the respondents to reinstate the petitioner into service with all consequential benefits.

2. The submissions of the learned counsel for the petitioner is as follows:

(i) The petitioner was appointed on compassionate grounds as surveyor-cum-draughtsman in the year 1989 and had rendered continuous and unblemished service. His appointment was made after verification of his SSLC qualification and with due approval from the competent authorities. He further submitted that though his service were earlier terminated in 1994 on the ground of alleged lack of qualification. Aggrieved by this, the petitioner has filed O.A.No.79 of 1995 on the file of the Tamil Nadu Administrative Tribunal, against the order of termination, where the Tribunal, by order dated 17.01.2002, has set aside the termination and directed that his services be treated as continuous, which order



has attained finality. After a lapse of nearly 17 years, a charge memo was issued by the Assistant Director of Survey and Land Records, Coimbatore, alleging that the SSLC mark sheet relating to October 1995 examination produced by the petitioner was bogus. The petitioner denied the charges and explained that the certificate was genuine. However, the respondents imposed the punishment of dismissal from service and rejected the statutory appeals in a mechanical manner, without properly considering the petitioner's explanation and the earlier order passed by the Tribunal.

(ii) The disciplinary proceedings were initiated after an inordinate and unexplained delay of several years. Meanwhile, the petitioner had been in continuous service since 1989 where no objection was raised regarding his qualification for decades. The belated issuance of the charge memo is arbitrary, after allowing him to serve for a period of 24 years.

(iii) The petitioner preferred an appeal dated 12.09.2014 before the first respondent. Since, no orders were passed in the said appeal, he was constrained to file W.P.No.29948 of 2014 seeking a direction for disposal of the appeal, pursuant to which, this Court, by order dated 18.11.2014, directed the first respondent to pass orders within a stipulated time. Even thereafter, the appeal was rejected during the pendency of the contempt petition by a non-speaking order, without properly considering the grounds raised by the petitioner. Though



it was stated that a further appeal could be preferred, unfortunately, there is no such provision for filing a third appeal under the Tamil Nadu Civil Services (D&A) Rules and the said remedy is neither effective nor efficacious.

(iv) Hence, having no other alternative remedy, the petitioner has approached this Court by filing the present writ petition.

3. The submissions of the learned Additional Advocate General appearing for the respondents is as follows:

(i) The petitioner was appointed as field surveyor on compassionate grounds, subject to verification of his educational qualification. As per G.O.Ms.No.38, Personnel and Administrative Reforms Department dated 19.01.1987, a pass in SSLC with not less than 35% in each subject is mandatory.

(ii) On verification, it was found that the petitioner had not secured the required minimum marks in certain subjects and therefore not qualified. Subsequently, on a detailed verification conducted by the Directorate of Government Examinations in the year 2013, it was confirmed that the SSLC mark sheet of October 1995 examination produced by the petitioner did not tally with the official register maintained by the Directorate of Government and also the marks had been altered. As per the official register, the petitioner had



secured only 176 marks, whereas the mark sheet submitted by him reflected 208 marks.

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(iii) With regard to the contention of delay, he submitted that the educational certificates were sent for verification only at the time of regularisation of the petitioner's services. During such verification, the discrepancy came to light and it was revealed that the certificate produced by the petitioner was bogus. Therefore, there was no deliberate or unexplained delay on the part of the respondents. Based on the verification report, disciplinary proceedings were initiated against the petitioner under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules. The petitioner was afforded full opportunity, thereby, an enquiry was conducted and the charges were proved. Considering the gravity of the misconduct, namely production of a bogus certificate and lack of integrity, the petitioner was dismissed from service.

(iv) Hence, the writ petition is liable to be dismissed.

4. This Court has carefully considered the rival submissions and perused the materials placed on record.



5. It is not in dispute that the petitioner was appointed on compassionate grounds in the year 1989 and that his earlier termination in 1994 was set aside by the Tribunal, directing continuity of service. The primary issue in the present case relates to the allegation that the petitioner produced a bogus SSLC mark sheet. From the records, it is seen that the discrepancy in marks came to light only upon verification conducted by the Directorate of Government Examinations at the time of regularization of services. The verification report clearly indicates variation between the official register and the mark sheet produced by the petitioner. Though the petitioner has raised the issue of delay, this Court is of the view that when the allegation pertains to production of a bogus certificate affecting eligibility for appointment, the question of delay cannot, by itself, be a ground to quash the proceedings, especially when the discrepancy was detected at a later stage during verification. It is also seen that the petitioner was issued with a charge memo, subsequently, an enquiry was conducted and adequate opportunity was afforded to him. The findings of the enquiry officer are based on records obtained from the competent authority and cannot be said to be perverse or unsupported by evidence. Therefore, this Court finds no valid ground to interfere with the impugned orders in exercise of its jurisdiction under Article 226 of the Constitution of India.



6. In view of the above findings, this Court finds no merit in the writ petition. The impugned orders passed by the respondents do not warrant interference.

7. Accordingly, this Writ Petition stands dismissed. No costs. Consequently, connected Miscellaneous petition is closed.

02-03-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VKR

To

- 1.The Additional Director of
Survey and Land Records, Chepauk,
Chennai- 600 005.
- 2.The Regional Deputy
Director of Survey and Land Records,
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N.SENTHILKUMAR, J.

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