



WEB COPY

CMP No. 14440 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 15-06-2026**

CORAM

**THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM**  
**AND**  
**THE HON'BLE MR.JUSTICE N.SENTHILKUMAR**

**CMP No. 14440 of 2026 in**  
**WA SR NO. 96162 OF 2026**

P.Kandasamy

..Appellant

-VS-

1. B.Ravicoumar  
S/o Badmanabane,  
Data Entry operator,  
Villianur Commune Panchayat,  
Puducherry  
residing at  
No.17C,4th Cross,  
Thiru.V.Ka.Street, Thillai Nagar,  
Villianur, Puducherry-605 110  
and 8 Others.

... Respondents

Prayer: To grant leave to the appellant herein to sue the above Writ  
Appeal against the 1st respondent herein.

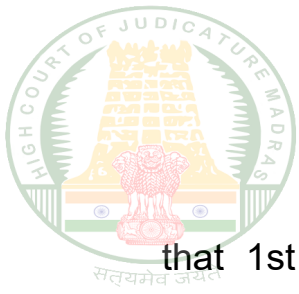
For Appellant: Mr.D.Ravichander

For Respondents: Mr.T.Mohan, Senior Counsel  
For Mr.M.Kannan for R1,  
Mr.R.Sreedar, AGP (Puducherry) for R2 to R9  
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### **ORDER**

**(Order of the Court was made by S.M.Subramaniam J.)**

This Miscellaneous Petition has been filed to grant leave to  
the petitioner / appellant to sue writ appeal against the 1st respondent.



2. Learned counsel for the petitioner would mainly contend that 1st respondent filed writ petition, challenging the Memorandum dated 16.03.2026 issued by Government of Puducherry, declining vigilance clearance for the 1st respondent to accept the resignation letter submitted by him in the post of Date Entry Operator, Villianur Commune Panchayat. Reason stated in the said order is that a criminal case registered by CBI, ACB, Chennai is pending. Learned counsel for the petitioner would further contend that CBI addressed a letter to Inquiry Authority-cum-Superintendent, Local Administration Department, Government of Puducherry on 19.01.2026, stating that CBI, ACB, Chennai has already completed the investigation in the matter and filed a charge sheet before the competent Court at Puducherry after obtaining requisite sanction for prosecution. The Criminal case is presently under trial. The said fact was suppressed before Writ Court. Learned counsel for the petitioner would draw the attention of this Court to the finding made by Writ Court in Paragraph No.7, which reads as under:

“7. In the instant case, the disciplinary proceedings against the petitioner has come to an end and there is no other disciplinary proceedings or criminal proceedings pending against him. The CBI has also stated that they had not recommended initiation of Departmental proceedings or action against the petitioner herein and that the filing of charge sheet, is the final outcome of the investigation....”

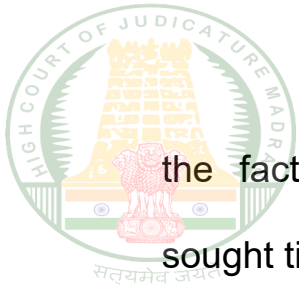
3. Mr.T.Mohan, learned Senior Counsel for the 1st respondent would submit that 1st respondent had disclosed all facts and



there was no suppression, regarding pendency of criminal case during the relevant point of time, when 1st respondent submitted his letter of resignation.

4. The letter issued by CBI, ACB dated 19.01.2026 has been wrongly interpreted. Initially, CBI, ACB stated that investigation has been completed, charge sheet has been filed before Competent Court and criminal case is presently under trial. In respect of query raised, CBI stated that they have not recommended initiation of any departmental action against the 1st respondent. Therefore, the fact remains that criminal case is presently under trial before CBI Court. However, Writ Court allowed the writ petition by setting aside the order dated 16.03.2026 issued by Government of Puducherry, declining to accept the resignation. Since resignation letter was accepted, 1st respondent contested in the Assembly Election.

5. At this juncture, learned counsel for the petitioner would submit that initially, a writ of mandamus, seeking a direction to accept the resignation letter dated 23.02.2026 was filed on 10.03.2026 and Government of Puducherry declined to accept the resignation letter vide order dated 16.03.2026. Subsequently, writ petition was amended on 18.03.2026 and on the same day, Writ Court passed final order, despite



the fact that learned Additional Government Pleader (Pondicherry) sought time to file counter and contest the case.

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6. In view of the above factual situation, this Court is inclined to grant leave to the petitioner to sue writ appeal. Accordingly, this petition is ordered as prayed for. Registry is directed to number the Writ Appeal and Condone Delay Petition, if papers are otherwise in order and list the matter for admission on **17.06.2026**.

(S.M.S.,J.) (N.S.,J.)  
15-06-2026

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