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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

Writ Appeal No.1548 of 2026
and
C.M.P.Nos.14492 & 14494 of 2026

K.Ganesan
Formerly Village Administrative Officer,
Palayapalayam, Ayyampettai Street,
Alakkudi, Sirkazhi Taluk,
Mayiladuthurai District.

..Appellant

Vs

1. The State of Tamil Nadu
represented by Principal Secretary to
Government,
Revenue and Disaster Management Department,
Fort St. George, Chennai – 600 009.

2. The Special Commissioner and Commissioner of
Revenue Administration,
Chepauk, Chennai-05

3. The District Collector,
The Office of the District Collector,
Nagapattinam District.

4. The District Revenue Officer,
Nagappatinam District.

5. The Revenue Divisional Officer,
Mayiladuthurai,
Nagappatinam District.

..Respondents

Writ Appeal filed under Clause XV of the Letters Patent against the order passed by this Court in W.P.No.7852 of 2024 dated 26-03-2024.

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For Appellant : Mr.A.R.Suresh

For Respondents : Dr.R.Gouri,
Government Counsel

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JUDGMENT

(Delivered by S.M.Subramaniam J.)

The writ order dated 26.03.2024 passed in W.P.No.7852 of 2024 is under challenge in the present writ appeal.

2. Regarding the allegations of irregularities and illegalities in disbursing compensation to farmers during drought period, a charge memorandum under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1955 was issued against the appellant on 12.09.2013. An enquiry was conducted and the charges were held proved. Based on the proved charges and by following the procedure contemplated under the Tamil Nadu Civil Services (Discipline and Appeal) Rules, the competent authority imposed punishment of removal from service *vide* proceedings dated 31.12.2016. Challenging the order of the Revenue Divisional Officer, Mayiladuthurai, the appellant preferred an appeal before the District Revenue Officer, Nagapattinam, on 06.01.2017.

3. Learned counsel for the appellant would mainly contend that the appeal preferred by the appellant has not been disposed of. During the pendency of the appeal, the District Collector issued two memos stating that the appellant should pay the financial loss caused to the State Exchequer to

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the tune of Rs.3,19,355/-. However, the appellant has not remitted the said amount in the Government accounts, but states that he sent reminders to dispose of the appeal. The reminders were sent during January' 2019 and 2024.

4. The writ Court has considered the facts as well as the grounds raised by the appellant and arrived at a decision that the writ petition is liable to be rejected on the ground of laches and devoid of merits.

5. Learned counsel for the appellant would contend that there is no delay, since the appeal preferred by the appellant has not been disposed of by the District Revenue Officer. The appeal of the year 2017 is yet to be disposed of by the District Revenue Officer. That apart, two memos were issued by the District Collector in the year 2018 directing the appellant to pay the alleged financial loss caused to the State Exchequer. The appellant sent reminders to dispose of the appeal, which has not been done. Thus, there is no delay and laches on the part of the appellant.

6. Learned Government Counsel would oppose by stating that the allegations are grave and relating to financial irregularities in the matter of disbursement of compensation to the farmers during drought period. An enquiry was conducted and by following the procedures, the appellant was removed from service. During the pendency of the appeal, the appellant filed a

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writ petition, which was dismissed and hence, he preferred the present writ appeal. Therefore, the ground relating to pendency of appeal lost its relevance and therefore, the present writ appeal is to be rejected.

7. This Court has considered the rival submissions made between the parties to the *lis*.

8. A perusal of the documents would show that charges under Rule 17(b) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules were framed against the appellant. An enquiry was conducted. The appellant defended his case before the enquiry officer. The enquiry officer submitted his report holding that the charges against the appellant were held proved. The findings of the enquiry officer were accepted by the disciplinary authority and punishment of removal from service was imposed. Though the appellant preferred an appeal before the District Revenue Officer on 06.01.2017, he has not pursued the appeal for a long time. Even after two memos dated 08.06.2018 and 16.07.2018 issued by the District Collector directing the appellant to deposit the sum of Rs.3,19,355/- in Government accounts, the appellant has neither pursued the appeal nor paid the alleged financial loss as stated by the District Collector in the two memos. However, he sated that he sent a reminder in 2019. The second reminder was sent in the year 2024, after a lapse of more than 4½ years. The District Collector has issued the memo taking note of the appeal dated 06.01.2017 pending before the

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appellate authority. Despite the reference, no further action was taken. Thus, the ground raised by the appellant that the appeal is pending and therefore, the writ Court ought not to have dismissed the writ petition, is unacceptable. The appellant having not pursued the appeal for several years, now cannot turn around and plead that the appellate authority failed to decide the appeal.

9. The appellant has chosen to file the writ petition challenging the order of removal from service. The writ Court has considered the merits of the case also. On merits, the disciplinary proceedings were conducted by complying with the rules of natural justice. Opportunity was afforded to the delinquent officer to defend his case. Thus, there is no procedural lapse in conducting departmental proceedings. Regarding the punishment of removal from service, this Court finds that the proved charges are grave in nature and relating to financial irregularities in the matter of disbursement of compensation to the farmers during drought period. The role of a Village Administrative Officer for disbursement of compensation granted by the Government under the schemes is of paramount importance. Thus, based on the proved charges, the appellant was removed from service and the punishment of removal cannot be construed as disproportionate to the gravity of charges proved against him. For all these reasons, this Court does not find any infirmity in the order impugned, since the order has been passed on merits as well as on the ground of laches. Thus, the writ appeal is devoid of merits.

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Accordingly, this writ appeal is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

(S.M.S.,J.) **(N.S.,J.)**
18-06-2026

Index: Yes
Speaking order
Neutral Citation: Yes/No
gm

To

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