



WEB COPY

Writ Appeal No.1828 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-06-2026

CORAM

THE HON'BLE MR JUSTICE S. M. SUBRAMANIAM

AND

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

Writ Appeal No.1828 of 2023

and

C.M.P.No.16036 of 2023

1. The Commissioner of Revenue Administration,
Ezhilagam, Chepauk,
Chennai – 600 005.
2. The District Collector,
Tiruppur District,
Tiruppur-641 604.

..Appellants

Vs

V.Viswanathan
S/o.S.M.Velu

..Respondent

Writ Appeal filed under Clause XV of Letters Patent against the order dated 06.10.2021 and made in W.P.No. 21618 of 2021.

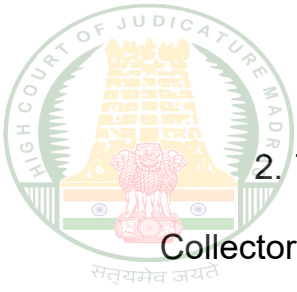
For Appellants : Mrs.A.Suganya
Government Counsel

For Respondent : Mr.R.Prem Narayan

JUDGMENT

(Delivered by S.M.Subramaniam J.)

Under assail is the writ order dated 06.10.2021 passed in
W.P.No.21618 of 2021.



2. The Commissioner of Revenue Administration along with the District Collector preferred the present intra-court appeal mainly on the ground that the respondent was not allowed to retire from service on the date of his superannuation on 31.01.2020 in view of pendency of disciplinary proceedings and a criminal case was registered against him. Since the writ Court has directed the department to settle the terminal benefits other than DCRG and further directed the disciplinary authority to initiate departmental proceedings within three (3) months from the date of receipt of the order of the writ Court, the present appeal came to be instituted.

3. It is not in dispute between the parties that during the pendency of the present appeal, the criminal case ended with an order of conviction. Consequently, the respondent was dismissed from service under Rule 17(c) of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1955. Since the employee was convicted in a criminal case involving corrupt practices and consequently, dismissed from service, he is not entitled for the entire terminal benefits as per rules. However, whatever benefits as admissible under the rules to a dismissed employee is to be settled in accordance with law. In view of the development occurred during the pendency of the present appeal, the appellants shall take action to ensure that the admissible benefits to a dismissed employee is paid to the respondent in accordance with law as expeditiously as possible. Since the respondent has already been dismissed from service, he is not entitled for any other benefits under the Pension Rules.



With the above observation, the impugned writ order dated 06.10.2021 passed in W.P.No.21618 of 2021 is set aside and the writ appeal stands allowed. No costs. Consequently, connected miscellaneous petition is closed.

(S.M.S., J.) (N.S., J.)
05-06-2026

Index: Yes
Speaking order
Neutral Citation: Yes/No

gm



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**S.M.SUBRAMANIAM, J.
AND
N.SENTHILKUMAR, J.**

gm

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