



WEB COPY

WP No. 50564 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-01-2026

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THE HON'BLE MR JUSTICE M.DHANDAPANI

WP No. 50564 of 2025

and W.M.P.Nos.56619 & 56622 of 2025

V.Sridharan

..Petitioner(s)

Vs

1. The State of Tamil Nadu,
Rep.by its Principal Secretary To Government,
Revenue And Disaster Management
Department, Secretariat, Fort St.George,
Chennai -600 009.
2. The Additional Secretary To Government,
Commissioner of Revenue And Disaster
Management Department, Chepauk,
Chennai -600 005.
3. The Director,
Directorate of Survey And Settlement,
Chepauk, Chennai -600 005.

..Respondent(s)

Prayer: This writ petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Declaration to declare the order of suspension passed by the 1st Respondent in G.O.(2D) No. 101 Revenue and Disaster Management department, Services Wing, Ser.2(3) Section dated 26.03.2024 and the subsequent order not permitting the Petitioner to retire from service issued by the 1st respondent in G.O.(2D).No.103 Revenue and Disaster Management Department, Services Wing, Ser.2(3) Section dated 28.03.2024, as illegal,



arbitrary and non-est in law and consequently declare that the Petitioner is deemed to have retired from service on 31.03.2024 (date of Petitioners Superannuation) and continue the pending disciplinary Proceedings under Rule 9(2)(a) of Tamil Nadu Pension Rules in terms of proviso to Rule 56(1-A) of Tamil Nadu Fundamental Rules(as amended) and direct the Respondents to disburse all the eligible terminal service and monetary benefits to the Petitioner.

For Petitioner(s) : Mr.G.Sankaran,
Senior Counsel
for Mr.S.Nedunchezhiyan

For Respondent(s) : Mr.M.Rajendiran,
Additional Government Pleader

ORDER

This writ petition is filed to declare the order of suspension passed by the 1st Respondent in G.O.(2D) No. 101 Revenue and Disaster Management department, Services Wing, Ser.2(3) Section dated 26.03.2024 and the subsequent order not permitting the Petitioner to retire from service issued by the 1st respondent in G.O.(2D).No.103 Revenue and Disaster Management Department, Services Wing, Ser.2(3) Section dated 28.03.2024, as illegal, arbitrary and non-est in law and consequently declare that the Petitioner is deemed to have retired from service on 31.03.2024 (date of Petitioners Superannuation) and continue the pending disciplinary Proceedings under Rule 9(2)(a) of Tamil Nadu Pension Rules in terms of proviso to Rule 56(1-A) of Tamil Nadu Fundamental Rules(as amended) and direct the Respondents to disburse all the eligible terminal service and monetary benefits to the Petitioner.



2. Learned counsel for the petitioner would submit that the petitioner was initially appointed as Typist in the respondent department in the year 1997 and due to retire on 31.03.2024. Whiles, the petitioner was issued with a charge memo dated 22.12.2023 by the third respondent under Rule 17(b) of Tamil Nadu Civil Services (Discipline and Appeal) Rules alleging irregularities in grant of Ryotwari and House site pattas in favour of the landless poor, for which, the petitioner has submitted a detailed explanation on 12.01.2024. However, without considering the same, the petitioner was placed under suspension vide G.O(2D).No.101 dated 26.03.2024 and not permitted to retire from service vide G.O.Ms.No.103 dated 28.03.2024, by invoking Rule 56(1)(C) of the Fundamental Rules. However, the very same Rule 56(1)(C) of the Fundamental Rules was removed vide G.O.Ms.No.47, Human Resources Management (FR-III) Department dated 29.08.2025. Hence, the petitioner made a representation to allow him to retire from service. But, no order was passed on the said representation. Hence, the petitioner has come forward with the present writ petition.

3. Per contra, learned Additional Government Pleader appearing for the respondents would submit that in terms of G.O.Ms.No.47, Human Resources Management (FR-III) Department dated 29.08.2025, the petitioner was allowed to retire from the service and his suspension was also revoked. Further, the



disciplinary proceedings pending against him will be continued in terms of Rule 9(2) of the Tamil Nadu Pension Rules, 1978.

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4. Recording the submission made by the learned Additional Government Pleader appearing for the respondents, this writ petition stands closed. No costs. Consequently, connected miscellaneous petitions are closed.

19-01-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To:

1. The Principal Secretary to Government,
Revenue And Disaster Management Department,
Secretariat, Fort St.George,
Chennai -600 009.
2. The Additional Secretary to Government,
Commissioner Of Revenue And Disaster Management Department,
Chepauk, Chennai -600 005.
3. The Director,
Directorate Of Survey And Settlement,
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M.DHANDAPANI, J.

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