



W.P.(MD) No.8819 of 2023

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE MUMMINENI SUDHEER KUMAR

W.P.(MD) No.8819 of 2023

B.Babu

... Petitioner

-VS-

1.The District Collector
Collector Office
Thanjavur District

2.S.Govindaraj

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a writ of certiorarified mandamus to call for the records of the first respondent proceeding of Na.Ka.A6-7180/2023, dated 13.02.2023 and to quash the same and further direct the first respondent to take appropriate action against the second respondent.

For Petitioner : Mr.A.Senthil Kumar

For Respondents : Mr.V.Om Prakash
Government Advocate for R1



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ORDER

This is a case where the petitioner made a complaint against the second respondent, on the ground that he issued possession certificates to two different persons in respect of the very same land, thereby misconducted himself resulting in putting the petitioner into trouble and implicating him in various litigations instituted at the instance of some third parties, in whose favour, the second respondent is stated to have issued possession certificates. Hence, the petitioner made a complaint to the first respondent to take appropriate disciplinary action against the second respondent. As no action was taken by the first respondent, the petitioner had earlier approached this Court by filing a writ petition in W.P.(MD) No.6831 of 2014 seeking a writ of mandamus directing the first respondent herein to take action against the second respondent based on the complaint made by him. Pursuant to the order dated 08.12.2022, passed by this Court in the said writ petition, the first respondent conducted a detailed enquiry into the allegation made by the petitioner and issued the proceedings bearing Na.Ka.A6-7180/2023, dated 13.02.2023. Being aggrieved by the said proceedings, the petitioner is before this Court by way of the present writ petition.



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2. The first respondent filed a counter affidavit justifying the impugned proceedings and also contending that the second respondent has already retired from service as early as in the year 2015. This Court also, having taken note of the fact that the second respondent has already retired from service, by an order dated 18.04.2023, required the learned counsel for the petitioner to advance arguments on the question whether disciplinary proceedings can be initiated or continued after the Government servant has retired from service.

3. However, when the matter came up for consideration on 03.03.2026, learned counsel for the petitioner requested for an adjournment and accordingly, this matter is listed today. Today, when the matter is taken up for consideration, nothing is brought to the notice of this Court to say that disciplinary proceedings can be initiated against the Government servant, who has already retired from service. No disciplinary proceedings can be initiated against the Government servant who has already retired from service in the absence of any specific provision providing for the same. No such provision has been brought to the notice of this Court. Further, in the instant case, the second respondent has already retired from service as early as in the year 2015 and as on date, more than a decade has lapsed. In the said



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circumstances, even if the petitioner succeeds in the present writ petition as against the impugned proceedings, no consequential direction can be issued nor any adverse order can be passed against the second respondent. Hence, this Court does not see any reason to entertain this writ petition.

4. Accordingly, this writ petition is dismissed. No costs.

04.03.2026

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

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To:
The District Collector,
Collector Office,
Thanjavur District.



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MUMMINENI SUDHEER KUMAR, J.

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