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W.P. No.1299 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2026

CORAM:

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. No.1299 of 2026

M.Avudaiappan

Petitioner

Vs

The Principal Secretary/ Additional
Chief Secretary
to Government Revenue and Disaster
Management Department,
Service Wing, Secretariat,
Chennai- 09.

Respondent

Prayer : Writ Petition filed under Article 226 of the Constitution of India to issue Writ of Mandamus, directing the respondent to consider the Appeal / Review made by the petitioner dated 06.12.2024 and following reminders dated 27.01.2025 and up to 29.12.2025.

For Petitioner : Mr.P. Ganesan

For Respondent : Mr. P. Balathandayutham

Spl. Govt. Pleader



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ORDER

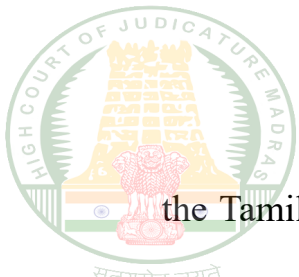
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Mr.P. Balathandayutham, learned Special Government Pleader takes notice for the respondent. By consent of both the parties, this writ petition is taken up for final disposal at the admission stage itself.

2. The relief sought in this writ petition is a direction to the respondent to consider the Appeal / Review made by the petitioner dated 06.12.2024 and following reminders dated 27.01.2025 and up to 29.12.2025.

3. The petitioner entered service through TNPSC on 07.08.1965 as a Lower Division Clerk and was promoted successively on various posts and lastly served as District Backward Classes Welfare Officer, Krishnagiri. While working in the said post, he was placed under suspension and not permitted to retire vide G.O.(2D) No.102, Revenue (Services – 1) Department, dated 28.02.2005. In the meanwhile, criminal proceedings in Spl.C.C.No.1 of 2008 ended in conviction on 29.09.2011. Against which, he preferred a criminal appeal preferred in CrI.A.No.659 of 2011 and the same was dismissed on 29.09.2023. Aggrieved by the dismissal order, he preferred an SLP (CrI) Diary No.42111 of 2023, which is pending before the Hon'ble Apex Court.

4. While so, based on the conviction, proceedings under Rule 17(c)(1) of



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the Tamil Nadu Civil Services (Discipline and Appeal) Rules were initiated by

the respondent, culminating in G.O.(Ms) No.266 Revenue Disaster Management Department Service Wing 2(1) section dated 24.07.2024, imposing the punishment of dismissal from service. Thereafter, he preferred an appeal/review on 06.12.2024 before the respondent, which according to him was not considered, leading to the present writ petition seeking pensionary benefits on parity with similarly placed officials of other departments.

5. Learned counsel for the petitioner submitted that though the petitioner reached the age of superannuation, he was not permitted to retire and was ultimately dismissed solely on the basis of conviction, while similarly placed officials in Forest and Home Departments involved in the very same occurrence were imposed with lesser punishments such as compulsory retirement and were extended pensionary benefits. He further submitted that the appeal/review dated 06.12.2024 is still pending consideration and the continued denial of terminal benefits is arbitrary and discriminatory. Therefore, he prayed for issuance of suitable directions to consider the petitioner's Appeal / Review dated 06.12.2024, within a short time to be fixed by this Court.

6. Learned Special Government Pleader appearing for the respondent submitted that the appeal preferred by the petitioner has already been disposed of by the Government vide G.O.(2D) No.767, Revenue and Disaster



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Management Department, Services Wing, Ser2(1) Section, dated 12.11.2025,

and therefore, nothing survives for further adjudication. A copy of the said G.O. has been placed before this Court, today. Hence, this Court may close this writ petition by recording the above.

7. This Court has considered the submissions made on either side and perused the entire records.

8. In view of the categorical submission of the learned Special Government Pleader that the statutory appeal preferred by the petitioner has already been disposed of by the Government vide G.O.(Ms) No.767 dated 12.11.2025, this Court finds that nothing further survives for consideration in this writ petition. Accordingly, the writ petition is dismissed, with liberty to the petitioner to work out his remedies in the manner known to law, if so advised. No costs.

21-01-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To
The Principal Secretary/ Additional
Chief Secretary
to Government Revenue and Disaster
Management Department,
Service Wing, Secretariat,
Chennai- 09.

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