



WP.(MD)No.21281 of 2024

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B.PUGALENDHI, J.

The petitioner is working as an Assistant Engineer in the Agriculture Engineering Department. The petitioner was placed under suspension by the order impugned in this writ petition, pursuant to the involvement in a case in Cr.No.2 of 2021 on the file of CBCID, Tirunelveli. As against the order of suspension, the petitioner has filed this writ petition.

2.During the course of hearing, this Court verified with regard to the details of the case in Cr.No.2 of 2021 and found that apart from this petitioner, four other officials have also been added as accused and CBCID has also filed final report that a large extent of sand has been taken near river Thamirabarani as against the provisions of Rule 38(A) of the Tamil Nadu Minor Minerals Concession Rules with the connivance of the officials and transported to the State of Kerala. The case, which was originally registered on the file of Kallidaikurichi Police Station in Cr.No.417 of 2020 for the offence under Section 379 IPC, has been transferred to the file of CBCID, pursuant to the orders of this Court in WP.(MD)Nos.11057 and 15312 of 2020 dated 20.07.2021. It is reported that final report has been filed in the said case and as against all other officials, the departments have also initiated disciplinary proceedings.



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3. In this case, the petitioner was imposed with punishment of stoppage of increment for a period of one year with cumulative effect and an order of recovery of a sum of Rs.3,50,000/- payable in 14 installments has also been passed. The learned counsel appearing for the petitioner submits that the petitioner has not preferred any appeal as against the order of punishment dated 11.04.2022.

4. Considering the manner in which the punishment imposed as against the petitioner, who has committed a grave irregularity, this Court has verified with the learned Special Government Pleader as to the action taken by the concerned departments as against the other accused involved in the case in Cr.No.2 of 2021. The learned Special Government Pleader has also furnished the details.

5. As per the details, it appears that though the Geology and Mining Department has initiated action as against the Assistant Director, (Mines and Geology) who will be the main person, they have revoked the order of suspension for the reasons best known to them and it is reported that enquiry as against the Assistant Director, Mines has not been concluded yet.

6. Post the matter on 27.02.2026, for orders.

17.02.2026

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