

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEAL NO. 2497 OF 2012
(Arising out of SLP(C) No.23034/2007)

STATE OF TAMIL NADU & ORS.

Appellant(s)

:VERSUS:

E. RANGACHARI

Respondent(s)

O R D E R

1. Delay condoned. Leave granted.
2. This appeal emanates from the judgment and order dated 19th October, 2006 passed by the High Court of Judicature at Madras in Writ Petition No.11925 of 2004 by which the High Court has upheld the judgment of the Tamil Nadu Administrative Tribunal and dismissed the writ petition.
3. The respondent joined service as a Junior Assistant on 14.09.1973. Subsequently, he was promoted to the post of Assistant and in the year 1986 he was promoted to the post of Sub Registrar. While working as Sub Registrar, on the allegation of

demand and accepting bribe, he was trapped and arrested in the year 1997 and was subsequently released. During the period of arrest, the respondent was placed under suspension and the suspension was subsequently revoked by the Tamil Nadu Administrative Tribunal.

4. Since the respondent was under suspension, his name was not included in the panel for the post of District Registrar for the year 1998-99. Aggrieved by this non-inclusion, he filed O.A. before the Tamil Nadu Administrative Tribunal which was allowed. The State challenged the order of the Tamil Nadu Administrative Tribunal before the High Court by filing a writ petition. The High Court upheld the order passed by the Tamil Nadu Administrative Tribunal and dismissed the writ petition.

5. We have heard the learned counsel for the parties. Learned counsel appearing on behalf of the respondent does not dispute that a criminal case is pending against the respondent and it is at the final stage of hearing. Admittedly, the charge-sheet

was filed long back and the case has proceeded further. The respondent has now superannuated from service.

6. In the backdrop of the facts stated above, the impugned judgment as also the judgment of the Tamil Nadu Administrative Tribunal cannot be sustained. Both these judgments are, therefore, set aside. In case the respondent is acquitted in the criminal case, he would be entitled to all the reliefs according to the rules. With these observations and direction this appeal is allowed and disposed of.

7. The parties are directed to bear their respective costs.

JUDGMENT

.....J
(DALVEER BHANDARI)

.....J
(DIPAK MISRA)

New Delhi;
February 22, 2012.