

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2015

CORAM

THE HON'BLE Mr. JUSTICE SATISH K.AGNIHOTRI
and

THE HON'BLE Dr. JUSTICE P.DEVADASS

W.P.Nos.32774 and 37563 of 2015
and

M.P.Nos.1,2 and 1, 2 of 2015

K.K.S.Rajendran Petitioner in both the W.Ps

Vs.

1. State of Tamil Nadu,
Adi Dravidar and Tribal Welfare
(CV2) Department,
Secretariat, Chennai - 9
rep. by its Secretary to Government
cum Chairman,
State Level Scrutiny Committee
2. The Deputy Superintendent of Police,
SC/ST Vigilance Cell,
Salem Region, Room No.109,
Collector Office Campus,
Salem - 1. Respondents in W.P.32774/15

1. The Tamil Nadu State Level Scrutiny
Committee,
Adi Dravidar and Tribal Welfare Department,
Namakkal Kavingar Maligai,
Secretariat, Chennai - 9 rep. by its
Chairman

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2. P.Annamalai, I.A.S.,
Chairman,
State Level Scrutiny Committee and
the Secretary to Government,
Adi Dravidar and Tribal Welfare
Department, Secretariat,
Chennai - 9.

3. The Director General of Police,
Mylapore, Chennai - 4.

4. The Principal Secretary to
the Government,
Home (Pol-II) Department,
State of Tamil Nadu,
Secretariat, Chennai - 9.

5. The District Collector,
Salem.

...Respondents in W.P.37563/15

Prayer in W.P.No.32774 of 2015: Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorari to call for the records relating to the show cause notice in Letter No.13957/CV-4(2)/2012-10 dated 28.09.2015 accompanied by the report of the second respondent in C.No.17/DSP/SC/ST Vigilance Cell/Salem Region/2015 dated 14.09.2015 and quash the same.

Prayer in W.P.No.37563 of 2015: Petition filed under Article 226 of The Constitution of India praying to issue a writ of certiorari to call for the records relating to the Tamil Nadu State Level Scrutiny Committee in Proceedings No.13957/CV-4(2)/2012-12 dated 12.11.2015 on the file of the first respondent and quash the same.

For Petitioner : Mr.S.Doraisamy
in both the W.Ps

For Respondents : Mr.N.Sakthivel,
Government Advocate
in both the W.Ps

COMMON ORDER

(Order of the Court was made by SATISH K.AGNIHOTRI, J.)

With the consent of the learned counsel for the parties, the writ petitions are taken up for final disposal.

2.Challenging the show cause notice dated 28 September 2015 and the proceedings of the Tamil Nadu State Level Scrutiny Committee dated 12 November 2015, the present writ petitions have been filed.

3.Heard the learned counsel appearing for the petitioner and the learned Government Advocate appearing for the respondents.

4.It is submitted by the learned Government Advocate appearing for the respondents that the proceedings of the State Level Scrutiny Committee dated 12 November 2015 impugned in W.P.No.37563 of 2015, has been withdrawn by the Chairman, State Level Scrutiny Committee and Secretary to Government, by proceedings in Letter No.13957/CV-4(2)/2012-14 dated 07.12.2015 on the ground of affording further opportunity to the petitioner.

5.The show cause notice dated 28 September 2015 issued prior to the proceedings dated 12 November 2015, is also under assail in W.P.No.32774 of 2015. In view of the fact that the State Level Scrutiny Committee has decided to afford fresh opportunity of hearing after withdrawing the consequential order dated 12 November 2015, it is not proper to proceed further.

6.In view of the subsequent development as aforesated, both the writ petitions have become infructuous and the same are dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

सत्यमेव जयते
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government
cum Chairman,
State Level Scrutiny Committee,
Adi Dravidar and Tribal Welfare
(CV2) Department,
Secretariat, Chennai - 9.
2. The Deputy Superintendent of Police,
SC/ST Vigilance Cell,
Salem Region, Room No.109,
Collector Office Campus,
Salem - 1.
3. The Chairman,
Tamil Nadu State Level Scrutiny
Committee,
Adi Dravidar and Tribal Welfare Department,
Namakkal Kavingar Maligai,
Secretariat, Chennai - 9.
4. The Director General of Police,
Mylapore, Chennai - 4.
5. The Principal Secretary to
the Government,
Home (Pol-II) Department,
State of Tamil Nadu,
Secretariat, Chennai - 9.
6. The District Collector,
Salem.

+2cc's to Mr.S.Doraisamy, Advocate, S.R.No.66202 & 66204
+2cc's to the Government Pleader, S.R.No.66159 & 66160

W.P.Nos.32774 and 3756 of 2015

UG(CO)
CA(17/12/2015)

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