

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.03.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K.SASIDHARAN

Writ Petition No.3527 of 2015

&

M.P.No.1 of 2015

M.Periyasamy

...Petitioner

Vs.

- 1 The Secretary to Government of Tamil Nadu
Rural Development and
Panchayat Raj (E2) Department
St. George Fort, Chennai-9.
- 2 The Director
Rural Development and Panchayat Raj Department
Panagal Building
Saidapet, Chennai.
- 3 The District Collector
Dharmapuri District
Dharmapuri.

...Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Certiorarified Mandamus calling for the entire records in pursuant to the suspension order issued vide G.O. (D) No.60 Rural Development and Panchayat Raj (E2) Department dated 29.01.2015 and the consequential order not permitting the petitioner to retire from service issued vide G.O. (D) No.61 Rural Development and Panchayat Raj (E2) Department dated 29.01.2015 and quash both the orders and direct the respondents to pay all consequential benefits to the petitioner within a stipulated time.

For Petitioner : Mr.T.P.Prabakaran

For Respondents : Mr.M.S.Ramesh, AGP

O R D E R

The order dated 29.1.2015, suspending the petitioner from service and not permitting him to retire is challenged in this Writ Petition.

2. Since the respondents have not filed counter affidavit and failed to indicate the details with regard to pending proceedings against the petitioner, I have by order dated 18.03.2015 adjourned the matter for filing counter affidavit subject to condition that the respondents should pay a sum of Rs.5,000/- as cost to the petitioner. Subsequently, on 19.03.2015 the learned Additional Government Pleader made a mention that the Government have withdrawn the suspension by order dated 18.03.2015. In view of the said submission, I have directed the Registry to post this matter today.

3. When the Writ Petition was taken up for consideration today, the learned Additional Government Pleader has produced a copy of the order in G.O.(D) No.161, Rural Development and Panchayat Raj (E2) Department, dated 18.03.2015, indicating that the Government have withdrawn the order of suspension and permitted the petitioner to retire from service on 31.03.2015. In view of the said order, nothing survives for adjudication in the Writ Petition.

4. The respondents are directed to disburse the retirement benefits to the petitioner as expeditiously as possible, and in any case, within a period of three months from the date of receipt of a copy of this order.

5. The Writ Petition is disposed of with the above direction. No costs. The connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (CS-II)

सत्यमेव जयते

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Sub Assistant Registrar

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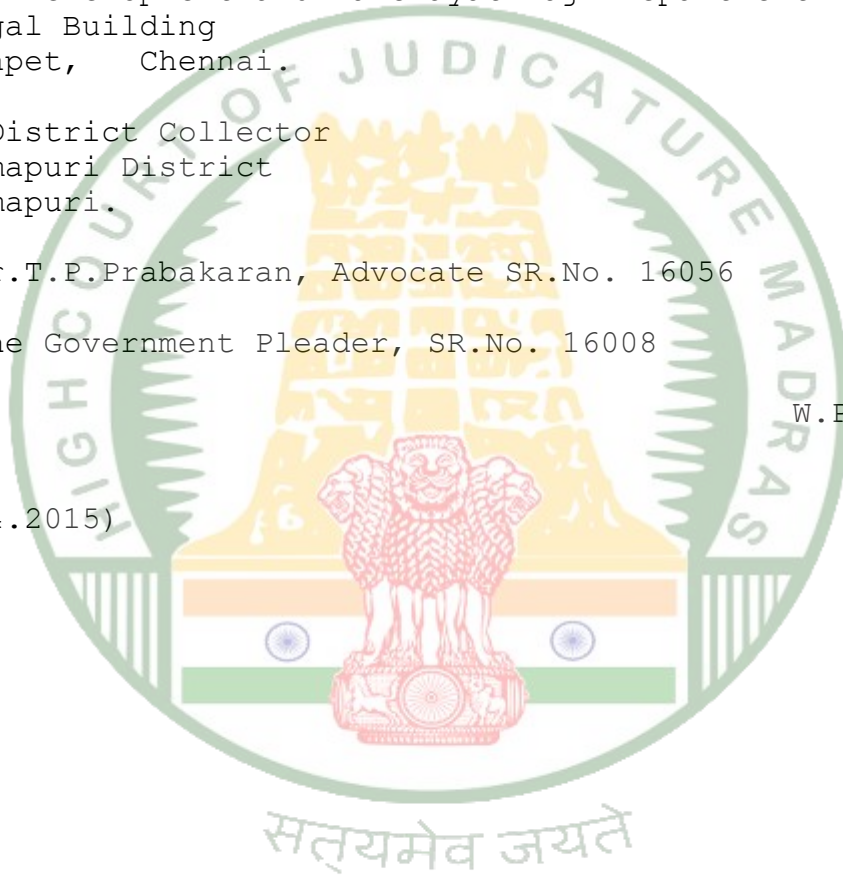
ajr

To

- 1 The Secretary to Government of Tamil Nadu
Rural Development and
Panchayat Raj (E2) Department
St. George Fort, Chennai-9.
 - 2 The Director
Rural Development and Panchayat Raj Department
Panagal Building
Saidapet, Chennai.
 - 3 The District Collector
Dharmapuri District
Dharmapuri.
- 1 CC to Mr.T.P.Prabakaran, Advocate SR.No. 16056
- 1 CC to the Government Pleader, SR.No. 16008

W.P.No.3527 of 2015

LRS (CO)
PSI (06.04.2015)



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