

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.08.2016

CORAM:

THE HON'BLE MR.JUSTICE A.SELVAM
AND
THE HON'BLE MR.JUSTICE P.KALAIYARASAN

Writ Appeal Nos.1018 & 1019 of 2012
and
M.P.Nos.1 & 2 of 2012

J.Balakrishnan ... Appellant in
W.A.No.1018 of 2012/Petitioner
N.Maruthappan ... Appellant in
W.A.No.1019 of 2012/Petitioner

-vs-

1.The Joint Registrar of Co0operative
Societies,
Chennai Region, TANFED Building,
St.Mary's Road, Mandaveli,
Chennai-600 018

2.The Administrator,
The Government Telecommunication
Employees, Co-operative Society Limited,
No.112, Sembudoss Street,
Chennai-600 001

3.Annamalai University,
Rep.by its Registrar,
Annamalai Nagar,
Chidambaram,
Cuddalore District

... Respondents in
both the W.As.

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WRIT Appeals filed under Clause 15 of the Letters Patent Act, against the order dated 19.01.2012 made in W.P.Nos.3841 and 3842 of 2004 respectively.

WP No.3841/2004 & WP 3842/2004: Writ petition filed under Article 226 of the constitution of India to issue a writ of certiorari to call for the records of the 2nd respondent having

reference No.57/98 and 60/98 respectively, dated 21.02.2003, which was served on the petitioner on 10.02.2004 and quash the same.

For Appellants : Mr.K.Srinivasamurrthy

For Respondents : Ms.T.Girija,G.A.for R1
Mr.P.Satheeshkumar for R2
No appearance for R3

JUDGMENT

(Judgment of the Court was delivered by A.SELVAM, J)

These Writ Appeals have been directed against the common order dated 19.01.2012, passed in W.P.Nos.3841 and 3842 of 2004, by the learned Single Judge of this Court.

2. The appellant(s) in both the writ appeals, as petitioners, have filed W.P.Nos.3841 and 3842 of 2004, wherein it is prayed to issue a writ of certiorarified mandamus, calling for the records relating to the order dated 21.2.2003 passed by the second respondent and quash the same.

3. The learned Single Judge, after considering the rival contentions raised on either side, has dismissed both the writ petitions. Against the dismissal order passed by the learned Single Judge, the present writ appeals have been filed.

4. The learned counsel appearing for the second respondent has produced a copy of the resolution adopted by the Board of Management, through Circular dated 22.8.2016, wherein, it is observed as follows:

"In view of the continuous and long service of Sri.J.Balakrishnan and Sri.N.Maruthappan rendered to the Society, though certain discrepancies may found in the required qualifications submitted by them during their appointment prior to this Board of Management it has been unanimously resolved to drop the proceedings against them. Accordingly, the proceedings in No.RC.66/98 dated 21.2.2003 against Sri.J.Balakrishnan and proceedings in No.RC.57/98 dated 21.02.2003 Sri.N.Maruthappan has been dropped by the board of Management of the Government Telecommunication Employees' Co-operative Society Limited."

5. A cursory look of the decision taken by the Board of

Management, it is made clear that the proceedings initiated against the appellant(s)/petitioner(s) have already been dropped. Since the proceedings taken by the second respondent against the appellant(s)/petitioner(s) have already been dropped, the relief sought in the writ appeals has become infructuous and therefore both the writ appeals are liable to be disposed of as infructuous.

In fine, on the basis of the observation stated above, these writ appeals are disposed of as infructuous. No costs. Connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

msk

To

- 1.The Joint Registrar of Co-operative Societies, Chennai Region, TANFED Building, St.Mary's Road, Mandaveli, Chennai-600 018
 - 2.The Administrator, The Government Telecommunication Employees, Co-operative Society Limited, No.112, Sembudoss Street, Chennai-600 001
 - 3.The Registrar, Annamalai University, Annamalai Nagar, Chidambaram, Cuddalore District
- 2 ccs to M/s.Row & Reddy, Advocates, sr.48894 & 48895
2 ccs to Mr.P.satheeshkumar, Advocate, sr.49170
1 cc to The Government Pleader, sr.49121
1 cc to Mr.A.K.R.Ravi, Advocate, sr.48999

W.A.Nos.1018 & 1019 of 2012

gj ii co
kra 15.09.2016