

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.11.2016

CORAM

THE HON'BLE MR. JUSTICE R.SURESH KUMAR

W.P.No.1817 of 2009

J.M.Tamilselvi

... Petitioner

Vs.

1. The Estate Officer,
Office of the Senior Quality
Assurance Establishment (GS),
DGQA Complex,
Pazavanthangal,
Chennai - 114.

2. The Senior Quality Assurance
Establishment (GS),
DGQA Complex,
Pazavanthangal,
Chennai - 114.

3. The Administrative Officer,
Office of the Senior Quality
Assurance Establishment (GS)
DGQA Complex,
Pazavanthangal,
Chennai -114.

4. The Garrison Engineer (P)
St. Thomas Mount,
Pallavarm, Chennai -43.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus to call for records regarding the first respondent proceedings No.009/EMC/A, dated 17.12.2008 quash the same and direct the respondent not to vacate the petitioner from the Quarters bearing Door No.P44/7 Type II at DGQA Complex, Pazavanthangal, Chennai - 114 till the petitioner's superannuation.

For Petitioner : Mr.E.Ulaganathan

For Respondents : Ms.Sunitha Kumari
Central Government Standing Counsel

O R D E R

The prayer in this writ petition is for a writ of Certiorarified Mandamus calling for records regarding the first respondent proceedings No.009/EMC/A, dated 17.12.2008 quash the same and direct the respondent not to vacate the petitioner from the quarters bearing Door No.P44/7 Type II at DGQA Complex, Pazavanthangal, Chennai - 114 till her superannuation.

2. The petitioner has come out with the present writ petition challenging the order passed by the first respondent dated 17.12.2008 wherein the first respondent has directed the petitioner to vacate the quarters bearing door No.P/44/7, Type II by 15th January, 2009.

3. Heard both sides.

4. Today, the learned counsel appearing for the respondents has filed a typed set of papers wherein the death certificate dated 03.06.2015 issued by the corporation of Chennai has been produced, which discloses that the petitioner namely Tamilselvi died on 23.04.2015.

5. The learned counsel for the respondents has also produced the proceedings issued by the first respondent dated 27.10.2016 whereby the followings have been stated.

"2. It is intimated that Smt. JM.Tamil Selvi, petitioner of the said case expired on 23rd April, 2015. Photo copy of death certificate is enclosed. Her dependents have since vacated the Government accommodation.

3. This is for information and further necessary action please."

6. By giving the said death certificate as well as the letter issued by the second respondent dated 27.10.2016, the learned counsel for the respondents would contend that, since the petitioner has died and the family members have already vacated from the Government quarters which was sought to be vacated by the petitioner through impugned order, hence absolutely nothing survives as on date for further adjudication.

7. Recording the said submission made by the learned counsel for the respondents as well as the death certificate and the letter dated 27.10.2016 of the second respondent, this writ petition is dismissed as infructuous. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

rts

To

1. The Estate Officer,
Office of the Senior Quality
Assurance Establishment (GS),
DGQA Complex,
Pazavanthangal, Chennai - 114.
2. The Senior Quality Assurance
Establishment (GS),
DGQA Complex,
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4. The Garrison Engineer (P)
St. Thomas Mount,
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+1cc to Ms.Sunitha Kumari, Advocate, S.R.No.63460

W.P.No.1817 of 2009

SSK(CO)
CA(14/12/2016)