

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.06.2016

CORAM :

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

W.P.No.25355 of 2012
& M.P.No.1 of 2012

C.Muthusamy

.. Petitioner

Vs.

1. Union of India,
rep.by its Chairman
Railway Board,
New Delhi
2. The General Manager
Southern Railway
Park Town,
Chennai 600 003
3. The Financial Advisor and
Chief Accounts Officer
Southern Railway
Park Town, Chennai 600 003
4. The Registrar
The Central Administrative Tribunal
Madras Bench, Chennai

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a writ of Certiorari, calling for the records relating to the order of the fourth respondent made in O.A.No.1457 of 2011 dated 5.9.2012, to quash the same.

For Petitioner : Ms.N.R.Jasmine Padma

For Respondents : Mr.V.G.Suresh Kumar,
Standing Counsel for R1 to R3
R4 - Tribunal

ORDER

(Order of the Court was made by A.SELVAM, J.)

This writ petition has been filed under Article 226 of the Constitution of India, praying to pass a Writ of Certiorari, calling for the records pertaining to the order dated 5.9.2012 passed in Original Application No.1457 of 2011 by the Central Administrative Tribunal and to quash the same.

2. The petitioner herein, as applicant has filed Original Application No.1457 of 2011 on the file of the Central Administrative Tribunal, praying to set aside the charge memo issued to him by the second respondent. The Central Administrative Tribunal, after considering the contentions put forth on either side, has dismissed the same. Against the dismissal order, present writ petition has been filed so as to quash the order passed in Original Application No.1457 of 2011 dated 5.9.2012.

3. The learned counsel appearing for the writ petitioner has represented that in pursuance of the charge memo in question, a final order has been passed to the effect of withholding of 10% of the monthly pension for a period of one year. Under such circumstances, the relief sought in the writ petition has become infructuous.

4. Considering the fact that Original Application No.1457 of 2011 has been filed for setting aside the charge memo issued to the petitioner and the same has been dismissed and also considering that during the pendency of the present writ petition, a final order has been passed against the petitioner, nothing is survived and therefore, present writ petition is liable to be dismissed.

In fine, this Writ Petition is dismissed as infructuous, without costs. Consequently, the connected Miscellaneous Petition is closed.

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Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

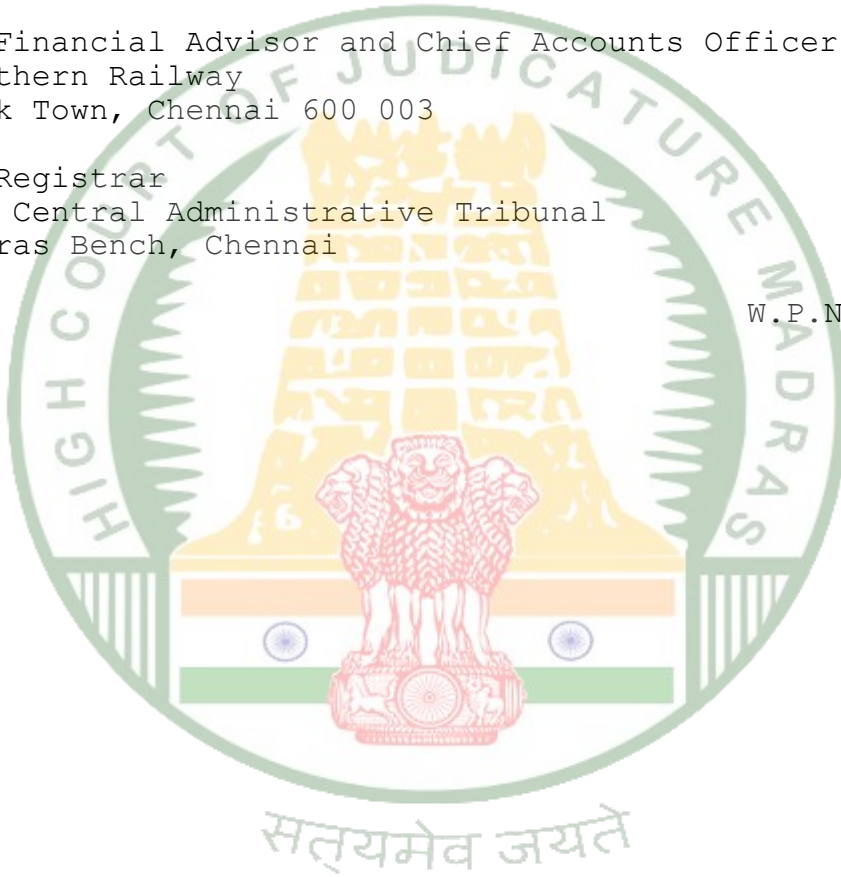
ajr

To

1. The Chairman
Union of India,
Railway Board,
New Delhi
2. The General Manager
Southern Railway
Park Town,
Chennai 600 003
3. The Financial Advisor and Chief Accounts Officer
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Park Town, Chennai 600 003
4. The Registrar
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