

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.02.2017

CORAM :

THE HONOURABLE Mr.JUSTICE S.MANIKUMAR
and

THE HONOURABLE Mr.JUSTICE M.GOVINDARAJ

W.A.No.2231 of 2012

M.P.No.1 of 2012

The Deputy Inspector General of Police,
Chengalpattu Range,
Chennai-16.

... Appellant /Respondent

vs.

S.D.Albert Dayakaran,
Inspector of Police,
Control Room,
Thiruvallur District.

... Respondent /Petitioner

Writ appeal filed under clause 15 of the Letters Patent
filed against the order of this Court made in W.P.No.40460 of
2006, dated 27.08.2010.

For Appellant : Mr.K.V.Dhanapalan,
Spl. Govt. Pleader
For Respondent : Mr.M.Ravi

JUDGMENT

(Judgement of this Court was delivered by S.MANIKUMAR, J.)

Writ appeal is directed against the order made in
W.P.No.40460 of 2006, dated 27.08.2010.

Prayer in WP.No.40460 of 2006

Writ petition come to be numbered by transfer of O.A.No.2184
of 2000 on the file of the Tamilnadu Administrative Tribunal
Praying to quash the punishment of reduction in time scale of pay
by two stages for two years with cumulative effect passed by the
respondent herein in his Na.Ka.No.A3/PR 59/99 P.R.No.147 of 1998
dt.31.01.2000 with all consequential monetary and service
benefits.

2. On 08.12.2016, we passed the following orders,

"Punishment of reduction in time scale of pay by
two stages for two years with cumulative effect, has
been inflicted on the respondent on 31.01.2000. Writ
Court, vide order, dated 27.08.2010 made in
W.P.No.40460 of 2006, set aside the penalty.
Thereafter, the respondent has retired on voluntary
retirement.

2. Both the learned counsel appearing for the parties are not in a position to state, as to whether, penalty, dated 31.01.2000, has been implemented or not. Record of proceedings shows that there is no stay of the operation of the order passed by the writ Court, in this writ appeal. Both the learned counsel appearing for the parties are also not in a position to state, as to whether, the order of the writ Court, dated 27.08.2010, has been given effect to.

3. Learned counsel appearing for both the parties, seek time to ascertain the current position, on the above. Post on 14.12.2016."

3. When this appeal came up for further hearing, on instructions from the appellant, Mr.K.V.Dhanapalan, learned Special Government Pleader submitted that punishment imposed was not given effect to. He further submitted that on attaining the age of superannuation, the respondent retired and terminal benefits, determined on the basis of the last drawn wages, in the post of Inspector of Police, have been disbursed. Pension is also being paid. His submission is placed on record.

4. In view of the above, at this length of time, we are of the view that no further adjudication of this appeal is required. Hence, writ appeal is dismissed. No costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

skm

To

The Deputy Inspector General of Police,
Chengalpattu Rode, Chennai.

+1cc to Mr.Ravi , Advocate, S.R.No.11604
+1cc to the Government Pleader, S.R.No.11731

SKV(CO)
RS(08/03/2017)

W.A.No.2231 of 2012