

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :14.12.2017

CORAM

THE HONOURABLE Mr. JUSTICE **V.PARTHIBAN**

W.P.No.18159 of 2008 and
M.P.No.1 of 2008 and M.P.No.1 of 2015

V.Arulkumar

... Petitioner

Vs.

1.The Chairman & Managing Director,
Housing and Urban Development
Corporation Limited,
HUDCO Bhawan, India Habitat Centre,
Lodhi Road, New Delhi – 110 003.

2.Deputy Chief-Finance (Vig),
Housing and Urban Development
Corporation Limited,
HUDCO Bhawan, India Habitat Centre,
Lodhi Road, New Delhi – 110 003.

3.The Executive Director,
Housing and Urban Development
Corporation Limited,
Regional Office,
V Floor, Thalamuthu Natarajan Building,
No.1, Gandhi Irwin Road, Egmore,
Chennai – 600 008.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records pertaining to the order passed by the 2nd respondent in his proceedings F.No.HUDCO/Vig.382/2008/920 dated 21.7/2008 and quash the same and direct the respondents to defer the disciplinary proceedings, against the petitioner till the disposal of the criminal case in C.C.No.15 of 2006 on the file of the Principal Special Judge for CBI Cases, Chennai.

For Petitioner : Mr.P.Ganesan

For Respondents : Mr.M.Vaidyanathan

ORDER

The prayer in the writ petition is as follows:

To issue a Writ of Certiorarified Mandamus calling for the records pertaining to the order passed by the 2nd respondent in his proceedings F.No.HUDCO/Vig. 382/2008/920 dated 21.7.2008 and quash the same and direct the respondents to defer the disciplinary proceedings, against the petitioner till the disposal of the criminal case in C.C.No.15 of 2006 on the file of the Principal Special Judge for CBI Cases, Chennai.

2.What is challenged in the writ petition in the order passed by the authority refusing to defer the departmental action till the completion of the criminal case, which was launched against the petitioner in respect of the same charges. Therefore, the petitioner has approached this Court seeking deferment of departmental action till the completion of the criminal trial pending against the petitioner in C.C.No.15 of 2006 on the file of the Principal Special Judge for C.B.I. Cases, Chennai.

3.When the matter was taken up for hearing, today the learned counsel appearing for the respondent would submit that the criminal trial was already completed, which ended in conviction and

the Judgment was passed in the criminal case on 30.07.2013 itself. Therefore, the prayer as sought for by the petitioner in the writ petition has worked out itself and nothing survives for consideration any more by this Court.

4. Therefore, the Writ Petition is dismissed as the prayer sought for is worked out itself. No costs.

5. The learned counsel for the respondent would submit that at the time, when the writ petition was taken up for hearing, there was an interim order of stay. In view of the dismissal of the writ petition, the interim stay already granted shall stand vacated. Consequently, connected miscellaneous petitions are also dismissed.

14.12.2017

Speaking /Non Speaking Order

Index : Yes/No

Internet : Yes/No

Sgl

To

1. The Chairman & Managing Director,
Housing and Urban Development
Corporation Limited,
HUDCO Bhawan, India Habitat Centre,
Lodhi Road, New Delhi – 110 003.

V.PARTHIBAN, J.

Sgl

2. Deputy Chief-Finance (Vig),
Housing and Urban Development
Corporation Limited,
HUDCO Bhawan, India Habitat Centre,
Lodhi Road, New Delhi – 110 003.

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W.P.No.18159 of 2008

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