



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Special Original Jurisdiction)

Thursday, the Sixteenth day of November Two Thousand Seventeen

PRESENT

The Hon`ble Mr.Justice P.D.AUDIKEVALU

WMP(MD) No.9788 AND 7463 of 2016
IN
WP(MD) No.9403 of 2016

1 THE UNION OF INDIA,
REPRESENTED BY ITS SECRETARY TO GOVERNMENT,
MINISTRY OF HOME AFFAIRS,
NEW DELHI.

2 THE DIRECTOR GENERAL,
CENTRAL INDUSTRIAL SECURITY FORCE,
BLOCK NO.13, C.G.O S COMPLEX,
LODHI ROAD, NEW DELHI-110 003.

3 THE INSPECTOR GENERAL,
CENTRAL INDUSTRIAL SECURITY FORCE,
CHENNAI PORT TRUST,
NEAR WAR MEMORIAL, CHENNAI.

4 THE DEPUTY INSPECTOR GENERAL(SZ),
CENTRAL INDUSTRIAL SECURITY FORCE CAMPUS,
SOUTH ZONE HQRS, RAJAJI BHAVAN,
BESANT NAGAR, CHENNAI-90.

5 THE SENIOR COMMANDANT,
CENTRAL INDUSTRIAL SECURITY FORCE UNIT,
VOCPT TUTICORIN.

6 THE DEPUTY COMMANDANT,
CENTRAL INDUSTRIAL SECURITY FORCE UNIT,
VOCPT, TUTICORIN.

... VACANT STAY PETITIONERS/
RESPONDENTS/RESPONDENTS

IN WMP(MD)NO.9788/2016 IN WP(MD) No.9403/2016

...RESPONDENTS/RESPONDENTS

IN WMP(MD)NO.7463/2016 IN WP(MD) No.9403/2016

Vs

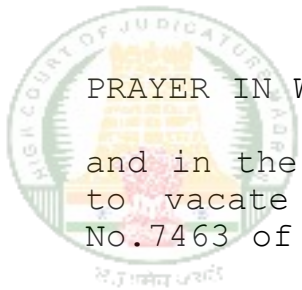
S.CHANDRA SEKARAN,

... RESPONDENT/PETITIONER/
PETITIONER

IN WMP(MD)NO.9788/2016 IN WP(MD) No.9403/2016

..PETITIONER/PETITIONER

IN WMP(MD)NO.7463/2016 IN WP(MD) No.9403/2016



PRAYER IN WMP(MD)NO.9788/2016 IN WP(MD) No.9403/2016:

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to vacate the interim order granted on 19.05.2016, in WMP(MD) No.7463 of 2016 in WP(MD) No.9403 of 2016

PRAYER IN WMP(MD)NO.7463/2016 IN WP(MD) No.9403/2016:

To pass an Ad-Interim Injunction restraining the respondents from taking any steps in pursuance of the order passed by the 5th respondent in his E-21013/VOCPT/CISF/DOC/2016/1951 dated 16.05.2016 and the order No.F-42013/CISF/VOCP T(T) Accts/Bank/2016/517, dated 18.05.2016 passed by the 6th respondent pending disposal of the above Writ Petition.

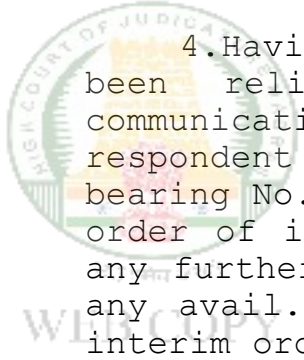
ORDER : These petitions coming on for orders upon perusing the petitions and the affidavits filed in support thereof and upon hearing the arguments of M/S.K.R.LAXMAN, Advocate for the petitioners IN WMP(MD)NO.9788/2016 IN WP(MD) No.9403/2016 and Respondent IN WMP(MD)NO.7436/2016 IN WP(MD) No.9403/2016 and of MR.M.MD.IBRAHIM ALI ,Advocate for the Respondents on behalf of the Respondents IN WMP(MD)NO.9788/2016 IN WP(MD) No.9403/2016 and Petitioner IN WMP(MD)NO./2016 IN WP(MD) No.9403/2016 in the court made the following order:-

The Petitioner had filed Writ Petition bearing W.P.(MD)No.9403 of 2016 before this Court challenging the order passed by the fifth respondent in his E-21013 / VOCPT /CISF / DOC / 2016 / 1951 dated 16.05.2016 and the order No.F-42013/CISF/VOCP T(T) Accts/Bank/2016/517, dated 18.05.2016 passed by the sixth respondent and quash the same and to direct the respondents to retain the petitioner as Head Constable at Tuticorin VOCPT till his retirement.

2.When the Writ Petition came up for admission on 19.05.2016, an order of interim injunction dated 19.05.2016 had been passed in W.M.P.(MD)No.7463 of 2016, in which the relief sought reads as follows:-

"to pass an AD-INTERIM INJUNCTION restraining the respondents from taking any steps in pursuance of the order passed by the fifth respondent in his E-21013 / VOCPT /CISF / DOC / 2016 / 1951 dated 16.05.2016 and the order No.F-42013/CISF/VOCP T(T) Accts/Bank/2016/517, dated 18.05.2016 passed by the sixth respondent pending disposal of the above Writ Petition"

3.It is represented that as against the interim order dated 19.05.2016, the respondents had filed a vacate stay petition in W.M.P.(MD)No.9788 of 2016 before the Registry on 01.06.2016 vide SR.No.W-32753(WMP(MD)). In the interregnum, the petitioner had made representations on the strength of the aforesaid order dated 19.05.2016 for reinstatement in service by representations dated 21.05.2016 and 02.06.2016. In response to the aforesaid representations, a reply was sent by the sixth respondent on 03.06.2017 stating that vacate stay petition has been filed.



4. Having regard to the fact that the petitioner had already been relieved from service on 18.05.2016 itself and the communication dated 18.05.2016 had been issued by the sixth respondent that terminal benefits has been deposited in the account bearing No.30491988971, of the petitioner in State Bank of India the order of interim injunction directing to the effect of restraining any further steps in pursuance to this impugned order cannot be of any avail. Hence, the interim order stands vacated. Since the interim order has been vacated, the W.M.P.(MD)No.7463 of 2016 stands dismissed and W.M.P.(MD)No.9788 of 2016 is ordered.

sd/-

16/11/2017

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1 THE SECRETARY TO GOVERNMENT, UNION OF INDIA,
MINISTRY OF HOME AFFAIRS, NEW DELHI.
- 2 THE DIRECTOR GENERAL, CENTRAL INDUSTRIAL SECURITY FORCE,
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- 3 THE INSPECTOR GENERAL, CENTRAL INDUSTRIAL SECURITY FORCE,
CHENNAI PORT TRUST, NEAR WAR MEMORIAL, CHENNAI.
- 4 THE DEPUTY INSPECTOR GENERAL (SZ),
CENTRAL INDUSTRIAL SECURITY FORCE CAMPUS,
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- 6 THE DEPUTY COMMANDANT, CENTRAL INDUSTRIAL SECURITY FORCE UNIT,
VOCPT, TUTICORIN.

+2. C.C. to MR. MOHAMED IBRAHIM ALI Advocate SR.No.34674, 34675

GJM/RR/SAR-3-28.12.2017-3P-9C

ORDER
IN
WMP (MD) No.9788 AND 7463 of 2016
IN
WP (MD) No.9403 of 2016
Date :16/11/2017