

IN THE HIGH COURT OF JUDICATURE AT MADRAS

*** DATED: 27/02/2018**

CORAM:

THE HONOURABLE MR.JUSTICE C.T.SELVAM
and
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.3527 of 2018
and W.M.P.No.4316 of 2018

K.Eswaramurthy .. Petitioner

vs.

1.The Principal District Judge,
Erode.

2. Special District Judge (MACT Cases)
Special District Court (MACT)
Erode.

... Respondents

Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, calling for the records pertaining to the impugned order dated 03.01.2018 in A.No.419/2016 in D.No.214 (04.01.2018) on the filed of the 1st respondent and quash the same insofar as the punishment of withholding of increment for a period of two years with cumulative effect.

For Petitioner : Mr.R. Neelakandan

For R1 & R2 : Mr.C.T. Mohan

ORDER

[Order of the Court was made by C.T.SELVAM, J.,]

When the matter came up for admission on 16.02.2018, it was submitted by learned counsel for the petitioner that the petitioner is to retire on 31.03.2018 and hence, stoppage of increment for a period of two years with cumulative effect as imposed by the authority concerned, may be quantified and adjusted against the sum admittedly payable to the petitioner towards earned leave.

2. We have heard Mr.R. Neelakandan on the above submission. Mr. C.T. Mohan, learned counsel appearing for the respondents, on instructions, would invite an order from this Court.

21.02.2018 signed by his counsel and also himself, informing that the matter may be dealt with in the manner indicated above.

4. Accepting the memo, this Court while confirming the finding of punishment, directs that the sum representing stoppage of increments for a period of two years with cumulative effect may be quantified and deducted from the sum of Rs.2,43,048/- payable to the petitioner towards Earned Leave.

5. With the above direction, the writ petition is closed. No costs. Consequently, connected Miscellaneous Petition is closed. The present order will not have any bearing on the pensionary and other rights flowing from service.

Sd/-
Assistant Registrar(CS IX)
Dated: 01/03/2018

* Corrected as per order
of this Court dated 05/03/2018
made in WP.No.3527/18 and
WMP.No.4316/2018.

Sd/-Assistant Registrar
Dated: 15/03/2018

//True Copy//

Sub Assistant Registrar

To

1.The Principal District Judge,
Erode.

2. Special District Judge (MACT Cases)
Special District Court (MACT)
Erode.

To be substituted
To the Order
already despatched
on 02/03/18

+2cc to Mr.R.Neelakandan, Advocate Sr.No.17063

W.P.No.3527 of 2018

RRK:1.3.2018
GN(15/03/2018)