

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.8.2018

CORAM

THE HONOURABLE MR.JUSTICE HULUVADI G.RAMESH
AND
THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.A.No.1868 of 2018
and
C.M.P.No.14976 of 2018

Principal Secretary to Government
Home (Police-V) Department,
Secretariat, Chennai 600 002. Appellant/Respondent

Versus

T.Swamydoss Respondent/Petitioner

Prayer: Writ Appeal filed filed under Clause 15 of the Letters Patent against the order dated 25.10.2016 passed in W.P.No.23457 of 2010 on the file of this court. Writ of calling for the records relating to the impugned order dated 2.11.2008 Ref.No.G.O.(2D) No.687 served on the petitioner on 2.2.2009 through their covering letter dated 22.1.2009 and quash the same and consequently direct the respondent authority to reinstate the petitioner in service and grant all consequential service benefits as may be directed by this Honourable Court.

For appellant : Mr.P.S.Sivashanmugasundaram,
Special Government Pleader
For respondent : Mr.S.Thankar Sivan

JUDGMENT

(Judgment of the court was made by K.KALYANASUNDARAM, J.)

This writ appeal has been preferred against the order passed by the learned Single Judge in W.P.No.23457 of 2010 dated 25.10.2016.

2. The learned Single Judge has set aside the order of removal of the respondent from service and directed the appellant to reconsider his case in the light of the order passed in similar matters.

3. When the writ appeal is taken up for hearing, the learned counsel appearing for the respondent submitted that pursuant to the order passed in the writ petition, pending the writ appeal, the appellant has considered the case of the writ petitioner and

rejected the same, vide order in G.O.2(D) No.294 Home (Police-5) Department dated 19.9.2017.

4. In the light of the above factual position, the writ appeal is dismissed as having become infructuous. However, we make it clear that it is open to the respondent to challenge the order passed by the appellant on 19.9.2017 in the manner known to law, if he is so advised. No costs. The connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CS-IX)

//True Copy//

Sub Assistant Registrar

ssk.

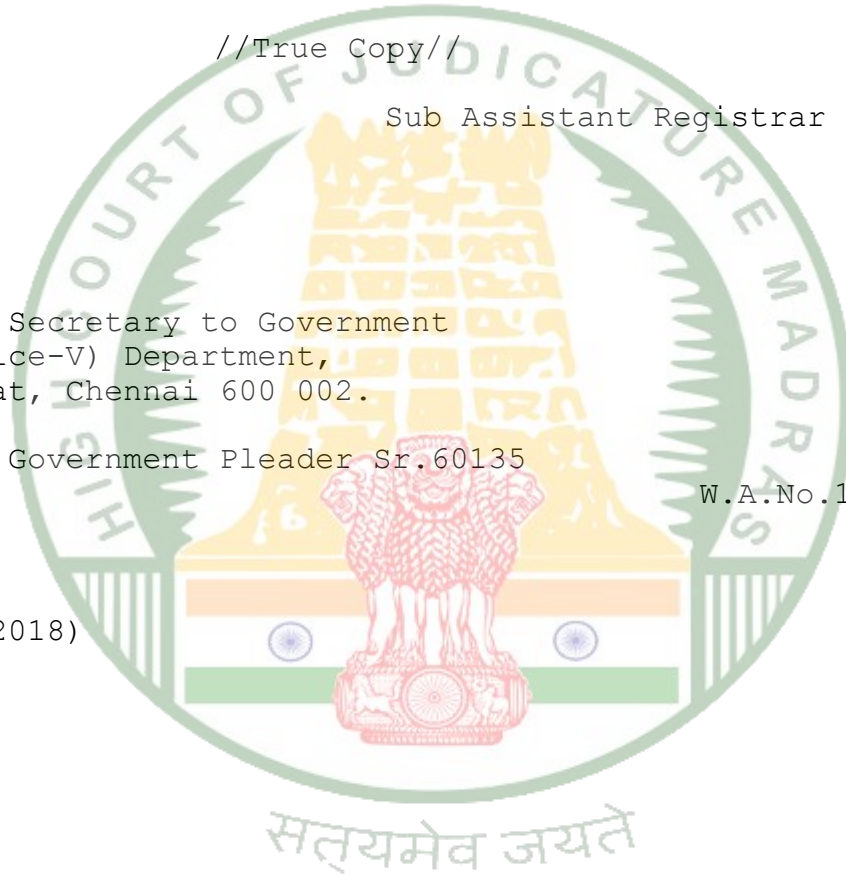
To:

Principal Secretary to Government
Home (Police-V) Department,
Secretariat, Chennai 600 002.

+ 1 cc to Government Pleader Sr.60135

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VGI (CO)
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