

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.07.2018

CORAM:

THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.4089 of 2009
and
M.P.No.1 of 2009

Sungu Saroja

.. Petitioner

Vs.

1.Chief Executive Officer,
Tamil Nadu Khadi Village and
Industries Board,
Kuralagam, Chennai-108.

2.General Manager,
Khadi Kraft (Main)
Tamil Nadu Khadi Village and
Industries Board,
Kuralagam, Chennai-108.

.. Respondents

Prayer: Writ Petition is 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 Rc.No.9550/B7/04 dated 28-1-2009 and quash the same and direct the respondents to confer all the consequential benefits to the petitioner.

For Petitioner : Mr.P.Ganesan

For Respondents: Mr.S.K.Bose

O R D E R

The writ petitioner seeks to challenge the Proceedings in Rc.No.9550/B7/04, dated 28-01-2009, passed by the General Manager, Khadi Kraft (Main) Tamil Nadu Khadi Village and Industries Board, Chennai, second respondent herein, by which, the order, directing the petitioner to remit a sum of Rs.11,13,714.15/-, was confirmed. Subsequent to passing of the order, the petitioner had been placed under suspension. The petitioner also stands convicted by the Criminal Court.

2. The learned counsel for the respondents, has filed counter affidavit, stating that the recovery orders were passed by the General Manager, Khadi Kraft, Chennai-108, for Rs.11,13,714.15 on 28.01.2009 based on the report of the Joint Action Council formed as per the orders of this Court, after affording sufficient opportunities to the petitioner. But before the above order, the petitioner was placed under suspension and hence the recovery ordered could not be given effect to.

3. A perusal of the averments, in the counter affidavit would show that the decision has not been given effect, could not be implemented and nothing has been recovered.

4. Taking note of the averments, the writ petition is disposed of. There is no order as to cost. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(Co)

//True Copy//

Sub Assistant Registrar

dm

To

1.Chief Executive Officer,
Tamil Nadu Khadi Village and
Industries Board,
Kuralagam, Chennai-108.

2.General Manager,
Khadi Kraft (Main)
Tamil Nadu Khadi Village and
Industries Board,
Kuralagam, Chennai-108.

+1cc to Mr.C.S.ASSO, Advocate, S.R.No. 49461

W.P.No.4089 of 2009
and
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GJ II(CO)
TR(14/08/2018)