

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.06.2018

CORAM

THE HON'BLE Mr. JUSTICE V.PARTHIBAN

W.P.No.17387 of 2016

P.Subramani

... Petitioner

Vs.

Deputy Secretary to Governor
and comptroller,
Raj Bhavan, Guindy,
Chennai - 22

... Respondent

Prayer : Petition filed under Article 226 of The Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order of suspension in G1/1896/2005 dated 15.07.2005 and consequential order in G1/1896/2005 dated 06.09.2006 on the file of the respondent and quash the same and consequently direct the respondent to revoke the petitioner's suspension with immediate effect.

For Petitioner : Mr.R.Neelakandan

For Respondent : Mr.J.Pothiraj
Special Government Pleader

ORDER

This writ petition has been filed challenging the suspension order dated 15.07.2005 and also subsequent proceedings dated 06.09.2006 refusing to review the suspension order. The suspension order was issued on the basis of criminal case pending against the petitioner.

2. It appears that a criminal case was filed against the petitioner and the same is pending. In the meanwhile, he attained the age of superannuation on 31.05.2018. Under Rule 56 (1)(c) of the Fundamental Rules, the petitioner was not allowed to retire from service, but retained in service until the criminal case is concluded. It is also informed by the said

proceedings that the salary of the petitioner shall be reduced with effect from 01.06.2018 equal to the amount of provisional pension which would have been admissible to him.

3. In view of the subsequent proceedings passed by the respondent dated 31.05.2018, nothing survives for further consideration before this Court. Therefore, the present Writ petition stands closed. It is open to the petitioner to workout his remedies in a manner known to law. No costs. .

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

dh

To

The Deputy Secretary to Governor,
and comptroller,
Raj Bhavan, Guindy,
Chennai - 22.

+1cc to the Government Pleader sr.42323 & 41456

+1cc to Mr.C.Mahendran, Advocate Sr.41181

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rj[col]
srg 27/07/2018

सत्यमेव जयते

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