

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 14.03.2018

Coram

THE HONOURABLE Mr. JUSTICE K.K.SASIDHARAN
AND

THE HONOURABLE Mr. JUSTICE P.VELMURUGAN

W.A.No.2097 of 2012

I.Imthias Mohamed

.. Appellant

Vs.

1.The State of Tamil Nadu
Agricultural Production Commissioner &
Principal Secretary, Agriculture (AAB) Department
Fort St.George, Chennai 9.

2.The Tribunal for Disciplinary Proceedings
5/1842-A Trichy Road
Market Committee Complex, Ramanathapuram
Coimbatore 641 045.

... Respondents

Writ Appeal filed under Clause 15 of Letters Patent to set-aside the order dated 21.08.2012 made in W.P.No.21253 of 2012 on the file of this Court.

PRAYER IN W.P.No.21253 of 2012:

Petition Under Article 226 of the Constitution of India praying for the issuance of Writ of Certiorarified Mandamus, Calling for records relating to the impugned order of the 2nd respondent made in T.D.P. Case No.35/2010 (Roc.No.1301/2010/A3) dated 3.2.2011 of the 2nd respondent and to quash the same in so far as the petitioner is concerned and issue consequential directions to the first respondent to drop the action against the petitioner or in alternative to pursue the disciplinary proceedings in so far as it relates to the petitioner under Rule 17(a) of the Tamilnadu Civil Services (Discipline & Appela) Rules and to finalize the same within a limited time frame as deems fit by this Honourable Court so as to enable the petitioner to peacefully retire from services on attaining the age of superannuation on 30.9.2012

For Appellant

: Mr.K.C.Vinodh

For Respondents

: Mr.V.Anandhamurthy

Additional Government Pleader

J U D G M E N T
[Judgment of the Court was delivered by
K.K.SASIDHARAN, J.]

The appellant unsuccessfully challenged the charge memo before the writ court in W.P.No.21253 of 2012. The present appeal is directed against the order dismissing the writ petition.

2. When the appeal is taken up for consideration, the learned Additional Government Pleader produced a copy of the proceedings indicating that the Tribunal for Disciplinary Proceedings arrived at a factual conclusion that the charges against the appellant were not proved.

3. The learned counsel for the appellant and the learned Additional Government Pleader jointly submitted that nothing survives for adjudication in view of the subsequent events relating to the order passed by the Tribunal for Disciplinary Proceedings.

In view of the subsequent events indicated above, the intra court appeal is dismissed as infructuous. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

gms
To

1.The Agricultural Production Commissioner &
Principal Secretary
State of Tamil Nadu
Agriculture (AA8) Department
Fort St.George, Chennai 9.

2.The Tribunal for Disciplinary Proceedings
5/1842-A Trichy Road Market
Committee Complex, Ramanathapuram
Coimbatore 641 045.

+1cc to Mr.L.CHANDRAKUMAR, Advocate, S.R.No. 19499
+1cc to the Government Pleader, S.R.No. 19649

W.A.No.2097 of 2012

KGK(CO)
TR(02/04/2018)