

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated:11.07.2018

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.43644 and 15692 of 2006  
and M.P.No.2 of 2006 and WMP.No.15458 of 2006

A.Duraisamy

...Petitioner

in both W.Ps.

Vs.

The Chief Engineer,  
Highways (General),  
Chepauk,  
Chennai-600 005.

... Respondent  
in both W.Ps.

W.P.No.43644 of 2008: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus calling for the records of the respondent in its No.10992/Con.II/94-58 dated 10.12.2002 and consequential proceedings in No.G.O.(2D) No.1 and G.O.(2D) No.2 both dated 30.01.2004 and quash the same and direct the respondent to treat the petitioner deemed to have been retired with effect from 31.01.2004 itself on attaining the age of superannuation and consequently pay all the service benefits including fixation of pension, gratuity, computation of pension etc., as per law.

W.P.No.15692 of 2006: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorari calling for the records of the respondent herein in his charge Memo.No.10992/Con.II/94-83 dated 21.01.2004 and subsequent proceedings No.10992/Con.II/94-106 dated 19.04.2006 and quash the same.

In both W.Ps.

For Petitioner : Mr.M.A.Abdul Wahab

For Respondents: Mr.K.Ravikumar

Additional Government Pleader.

O R D E R

These Writ Petitions have been filed challenging the charge memos issued by the respondent in proceedings No.10992/Con.II/94-58 dated 10.12.2002, No.10992/Con.II/94-83 dated 21.01.2004 and No.10992/Con.II/94-106 dated 19.04.2006 respectively and for consequential relief.

2. When the matter is taken up for hearing, the learned Additional Government Pleader submitted that pending writ petitions, the petitioner died on 06.11.2010 and has also produced a copy of G.O.(D) No.79 Highways and Minor Ports (HL.1) Department dated 21.05.2012, wherein it has been stated that consequent to the death of the petitioner, the disciplinary proceedings and the criminal proceedings pending against the petitioner has been dropped as abated in accordance with the orders issued in G.O.Ms.No.2999, Public(Ser.) Department, dated 04.12.1969.

3. In view of the above, nothing survives for adjudication in these Writ Petitions. Accordingly, the Writ Petitions stand closed. No costs. Consequently, connected miscellaneous petitions are also closed.

s/d-

Assistant Registrar(CS VIII)

True Copy

Sub-Assistant Registrar

rm  
To

The Chief Engineer,  
Highways (General),  
Chepauk,  
Chennai-600 005.

+1 CC to Mr.M.A.Abdul Wahab, Advocate sr 46262.  
+1 CC to The Govt. Pleader sr 45760.

सत्यमेव जयते

W.P.Nos.43644 and 15692 of 2006  
and M.P.No.2 of 2006 and  
WMP.No.15458 of 2006

MP (CO)  
SP (30/07/2018)

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