

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.01.2018

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.19764 of 2007

S.Jagathalapradaban

... Petitioner

-vs-

1.The Additional Director General of Police,
Economic Offences Wing,
Admiralty House,
Chennai - 600 002.

2.The Superintendent of Police,
Idol Wing CID,
Admiralty House,
Chennai - 600 018.

3.The Accountant General (A&E),
Tamil Nadu,
Anna Salai,
Chennai - 600 018. ... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records relating to the proceedings in Rc.No.B1/EOW/7319/2005 - DO No.435 of 2005 dated 28.11.2005 passed by the first respondent herein followed by the further orders in Proceedings in Rc.No.D1/7319/EOW/2004 dated 03.04.2006 passed by the second respondent herein and to quash the same and direct the respondents to pay the petitioner all the amounts payable to the petitioner including the difference in the Special Pay at Rs.7,515/- and also the revision of pay and also the pay for the Special Grade with effect from 9/81 to 7/92 together with interest at the rate of 12% per annum from 01.08.2004 till payment.

For Petitioner :: Mr.S.Subbiah

For Respondents :: Mr.Ansar,
Government Advocate (For R1 & R2)
Mr.T.Ravikumar (For R3)

O R D E R

The learned counsel appearing on behalf of the third respondent citing paragraph 4 of the counter affidavit states that the issue involved in this writ petition has been settled and paragraph No.4 of the counter affidavit reads as follows:

"4. It is submitted at the outset that the grievance of the petitioner is against the withdrawal of special grade for an earlier period and the consequential recovery made from the DCRG of the petitioner. Subsequent to the filing of the WP, when the revised pension proposals were received, his case was scrutinised and it was found that the grant of special grade to the petitioner was in order and in effect, the amount already recovered was ordered to be refunded to the petitioner by this respondent's office letter No.P04/3/J56-468/Rev/2007-08/122 dated 11.07.2007. The amount was also paid to the petitioner on 31.07.2007. Thus, the grievance of the petitioner has been settled in his favour the WP requires to be dismissed as having become infructuous on this short ground alone."

2.In view of the above statement made by the counsel for the third respondent, no further adjudication needs to be under taken in respect of the grounds raised in this writ petition.

3.Accordingly, the Writ Petition stands dismissed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

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To

1.The Additional Director General of Police,
Economic Offences Wing,
Admiralty House,
Chennai - 600 002.

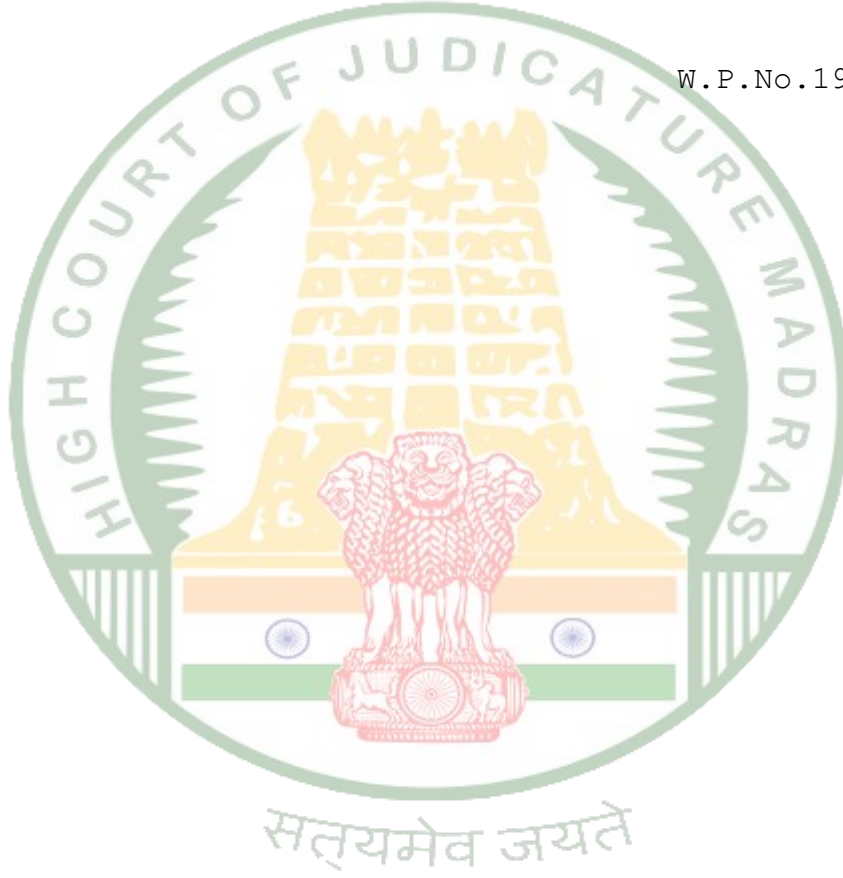
2.The Superintendent of Police,
Idol Wing CID,
Admiralty House,
Chennai - 600 018.

3.The Accountant General (A&E),
Tamil Nadu,
Anna Salai,
Chennai - 600 018.

+1cc to Government Pleader sR.No.4609
+1cc to MR.T.Ravikumar, Advocate SR.No.3234
+1cc to Mr.Elizabeth Ravi, Advocate Sr.No.3562 dt.7.6.2018

RV(CO)
sm:8.2.2018

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