



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.1057 of 2013

WEB COPY

Ramesh @ Ramesh Kumar

... Petitioner

-vs-

The Commissioner,  
Corporation of Chennai,  
Chennai.

... Respondent

PRAYER: Petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, calling for the records of the respondent in connection with the impugned order passed by him in MA1VD/Na.Ka.No.R1/7089/2002 dated 11.08.2009 and MA4VD Na.Ka.No. R1/988/2012 dated 04.10.2012 and quash the same in so far as treating the period from 16.02.2008 to 17.08.2009 as leave without pay and direct the respondents to treat the period from 16.02.2008 to 17.08.2009 as duty for all purposes and futher direct the respondent to draw and disburse the salary due to the said period within a reasonable time.

For Petitioner : Mr.Mr.Venkatramani, Senior Counsel

For Mr.M.Muthappan

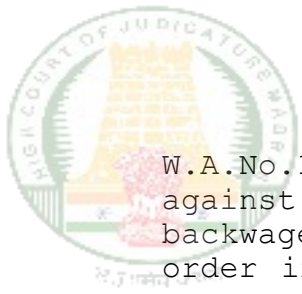
For Respondent : Mr.S.Saravanan

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O R D E R

When the matter is taken up for hearing, it is represented by the learned Standing Counsel for the respondent that the entire arrears due to the petitioner have been paid.

2. Mr.Venkatramani, learned Senior Counsel appearing for the petitioner has submitted that the petitioner was dismissed from service on the ground that he was convicted by the Trial Court on 16.04.2002 in respect of suicide of his wife and thereafter, on appeal, the order was reversed in C.A.No.580 of 2002 on 15.02.2008 and during the pendency of the appeal, he was dismissed from service on the ground stated supra. He has further submitted that consequent to the reversal of the order of the Court below and on the basis of the order of this Court in W.P.No.17097 of 2004 dated 01.08.2008, though the petitioner was reinstated in service, he was not paid wages from 16.02.2008 to 11.08.2009. Therefore, the petitioner had filed an appeal in



W.A.No.164 of 2013 (by way of another round of litigation) against the order of this Court dated 01.08.2008 for granting backwages with effect from 16.02.2008 onwards and obtained an order in his favour, pursuant to which, the petitioner was paid arrears of backwages from 16.02.2008 to 11.08.2009. The learned Senior Counsel for the petitioner has also submitted that the order passed in the Appeal may be taken note of and the present Writ Petition may be closed.

3. Taking note of the submissions made on either side, this Court is of the view that pursuant to the release of arrears of backwages to the petitioner, no further adjudication is required in this matter. Hence, the Writ Petition is closed. No costs.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

ar  
To

The Commissioner  
Corporation of Chennai  
Chennai.

+1 cc to Mr.S.Saravanan Advocate sr50570  
+1 cc to Mr.M.Muthappan Advocate sr50981

W.P.No.1057 of 2013

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