

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2019

CORAM

THE HONOURABLE Mr.JUSTICE M.S.RAMESH

W.P.No.20333 of 2004

S. Maharajan

.. Petitioner

Vs.

The Joint Director (General)
of Agriculture,
Thoothukudi - 628 003.

.. Respondent

PRAYER: The Writ Petition has been filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorari, to call for the records of the respondent in proceedings in No.Nee.2/6399/2002 dated 07.01.2004 on the file of the respondent and quash the same.

For Petitioner : Mr.V.Narayana Swami

For Respondent : Mrs.K.Bhuvaneswari
Additional Government Pleader

O R D E R

The instant Writ Petition has been filed for the issuance of a Writ of Certiorari, to call for the records of the respondent in proceedings No.Nee.2/6399/2002 dated 07.01.2004 and quash the same.

2. The only ground on which the petitioner seeks to set aside the order of dismissal is that, as against the conviction of the Criminal Court passed in C.C.No.12 of 2000 dated 29.04.2002, he had preferred an appeal in C.A.No.36 of 2002 before the Additional Sessions Judge, Tuticorin, which is pending.

3. The punishment of removal of service was pursuant to the petitioner's conviction by the Criminal Court. Just because the petitioner preferred the appeal against his conviction, the order of dismissal cannot be set aside.

4. Nevertheless, if the petitioner succeeds in the Criminal Appeal and such a judgment becomes final, it is always

open to the petitioner to approach the authorities concerned, seeking for appropriate relief and the authorities will be at liberty to consider such a request in accordance with law, as expeditiously as possible.

With the above liberty, this Writ Petition stands closed. There shall be no order as to costs.

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Sd/-
Assistant Registrar(CS VIII)

//True Copy//

Sub Assistant Registrar

To

The Joint Director (General) of Agriculture,
Thoothukudi - 628 003.

+1cc to Mr.V.Narayanaswami, Advocate, SR.No.34275
+1cc to the Govt.Pleader, Vide Sr.No.34711

W.P.No.20333 of 2004

MG(CO)
Kak(08/07/2019)
Kak(26/07/2019)



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