

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.7836 of 2005
and WPMP.No.8560 of 2005

I. Sornampillai

...Petitioner

Vs.

1.State of Tamil Nadu

Rep. by its Secretary to Government,
Home Dept. Fort St. George,
Chennai 600 009.

2.Principal commissioner and the Commissioner,
Revenue Administration,
Chepauk, Chennai - 5.

3.The Sub-Inspector of Police,
Thogur Police Station,
Thanjavur District.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records, in C.C.No.759/1996 dated 15.05.1996 on the file of Judicial Magistrate, Thiruvaiyaru, quash the same as illegal and forbear the third respondent from proceeding further on the basis of the said complaint.

For Petitioner : Mr.S.Parimalarangan

For Respondents : Mr.K.Rajendra Prasad, AGP

O R D E R

The prayer in the Writ Petition is to quash the proceedings in C.C.No.759/1996, dated 15.05.1996 on the file of Judicial Magistrate, Thiruvaiyaru.

2. Today, when the matter is called, learned counsel for the petitioner produced a copy of the judgment dated 31.12.2012, whereby, the proceedings in C.C.No.759 of 1996 was quashed. As such, the prayer sought for in the Writ Petition has become infructuous.

3. At this stage, the learned counsel for the petitioner submitted that in view of the pendency of the proceedings in C.C.No.759 of 1996, the petitioner had not received his terminal and other benefits. In view of quashing of C.C.No.759 of 1996, the petitioner is now entitled for the monetary benefits. However, such entitlement shall be subject to the decision taken by the concerned authorities.

4. In the light of the above submissions and observations made, the petitioner is granted liberty to file an appropriate application seeking release of monetary benefits including terminal benefits within a period of 30 days from the date of receipt of a copy of this order. On receipt of such application, the second respondent shall consider the same on its own merits and pass appropriate orders within a period of eight weeks therefrom.

5. With the above observations, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

pvs

To

- 1.The Secretary to Government,
State of Tamil Nadu
Home Dept. Fort St. George,
Chennai 600 009.
- 2.Principal commissioner and the Commissioner,
Revenue Administration,
Chepauk, Chennai - 5.
- 3.The Sub-Inspector of Police,
Thogur Police Station,
Thanjavur District.

+1cc to Mr.S.Parimalarangan, Advocate, S.R.No.17510
+1cc to the Government Pleader, S.R.No.18960

W.P.No.7836 of 2005

GP (CO)

RRS (09/04/2019)