

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :31.10.2019

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THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No. 15289 of 2019

&

W.M.P.No.15282 of 2019

P.Ganga Shree

..Petitioner

vs

1.The State of Tamil Nadu,
Represented by its Principal Secretary,
Commercial Taxes and Registration Department,
Fort St. George,
Chennai - 600 009.

2.The Commissioner of Commercial Taxes,
Office of the Commissioner of Commercial Taxes,
Ezhilagam,
Chennai - 600 005.

3.The Joint Commissioner (ST),
Enforcement I,
PAPJM Buildings,
Greams Road,
Chennai - 600 006.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the proceedings in Ref.No.CD2/6885/2016 dated 13.03.2019 on the file of the 2nd respondent and to quash the same as illegal, arbitrary and without jurisdiction.

For Petitioner : Mr.Govind Chandrasekhar

For Respondents : Mr.I.Sathish
Additional Government Pleader

O R D E R

The prayer sought for in this Writ Petition is to call for the proceedings in Ref.No.CD2/6885/2016 dated 13.03.2019 on the file of the 2nd respondent and to quash the same as illegal, arbitrary and without jurisdiction.

2. The case of the petitioner is that she had participated the general strike and remained absent, for which the Government initiated disciplinary proceedings and the letter dated 13.03.2019 was issued to that effect. In the said letter, it was held that the Enquiry Officer's report was forwarded to the Government for passing final orders and the same was informed to the petitioner. Challenging the same, the present Writ Petition has been filed.

3. Earlier, the petitioner filed a Writ Petition in W.P.No.20176 of 2018, challenging the charge memo dated 11.05.2018 passed by the 2nd respondent. The learned single Judge of this Court by order dated 27.08.2019, allowed the Writ Petition quashing the charge memo dated 11.05.2018. As against the said order the respondents have filed an appeal in W.A.No.2182 of 2019. The Hon'ble Division Bench of this Court upheld the decision of the learned single Judge of this Court, quashing the charge memo dated 11.05.2018.

4. Heard the learned counsel and perused the records.

5. Since the present impugned order is the consequential order of the charge memo dated 11.05.2018 which was quashed by the learned Single Judge and confirmed by the Division Bench of this Court, the impugned order dated 13.03.2019 is automatically closed. Hence nothing survives for further adjudication.

6. Accordingly, the Writ Petition is closed. Consequently, connected Miscellaneous Petition is also closed. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To
1.The Principal Secretary,
State of Tamil Nadu,
Commercial Taxes and Registration Department,
Fort St. George,
Chennai - 600 009.

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Office of the Commissioner of Commercial Taxes,
Ezhilagam,
Chennai - 600 005.

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Enforcement I,
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+1cc to Special Government Pleader(Taxes) sr.90875

W.P.No. 15289 of 2019
&
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vba(co)
nr 20/12/2019