

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.12.2020

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THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.NO.18367 OF 2007
(O.A.NO.1229 OF 2004)

S.Natarajan

... Petitioner

Vs.

1. The Superintending Engineer,
Public Works Department, WRO,
Vaipar Basin Circle, Virudhunagar,
Virudhunagar District.

2. The Executive Engineer,
Public Works Department, WRO,
Upper Vaipar Basin Division,
Rajapalayam,
Virudhunagar District.

... Respondents

PRAYER :

Originally this petition has been filed as Original Application No.1229 of 2004 before the Tamil Nadu Administrative Tribunal at Chennai and after abolition of TNAT, petition has been transferred and numbered as W.P.No.18367 of 2007.

W.P.No.18367 of 2007:-

Writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus to call for the records relating to the proceedings No. E1/86/2003 dated 03.02.2004 of the second respondent herein and Se.Mu.Ka.No.E1/86/03 (119/04) dated 03.02.2004 (three letters) of the second respondent herein and quash the same and direct the respondents herein to treat the petitioner as in continuous service without any break for the period between 02.07.2003 and 24.07.2003 and restore the increment granted to the petitioner with effect from 01.10.2003 and forbear the respondents from recovering the salary paid to the petitioner for the period from 02.07.2003 to 24.07.2003.

For Petitioner : M/s.A.L.Ganthimathi
No appearance

For Respondents: Mr.K.Magesh
Special Government Pleader

ORDER

This Writ Petition has been filed challenging the proceedings of the second respondent in No.E1/86/2003 dated 03.02.2004 and Se.Mu.Ka.No.E1/86/03 (119/04) dated 03.02.2004 (three letters), quash the same and direct the respondents herein to treat the petitioner as in continuous service without any break and forbear the respondents from recovering the salary paid to the petitioner for the period from 02.07.2003 to 24.07.2003 and restore the increment granted to the petitioner with effect from 01.10.2003.

2. When the matter came up on earlier occasion, learned Special Government Pleader submitted that as per the recovery order, the amount was recovered from the petitioner and nothing survives for further adjudication in the writ petition. However, learned counsel for the petitioner sought time to get instructions from their client. Today, when the matter is taken up for hearing, there is no representation on behalf of the petitioner.

3. Recording the submission made by the learned Special Government Pleader appearing for the respondents that nothing survives in this writ petition for further adjudication, this Writ Petition is dismissed as infructuous. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1. The Superintending Engineer,
Public Works Department, WRO, Vaipar Basin Circle,
Virudhunagar, Virudhunagar District.
2. The Executive Engineer,
Public Works Department, WRO, Upper Vaipar Basin Division,
Rajapalayam, Virudhunagar District.

+lcc to the Government Pleader, S.R.No.39330

W.P.No.18367 of 2007

SV(CO)
CS/19/01/2021