

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.07.2020

CORAM:

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.14815 of 2005

K.Elamvazhuthi

... Petitioner

vs.

1. The Chairman cum Managing Director,
Head Office,
The New India Assurance Company Limited,
No.87, Mahathma Gandhi Road, Fort,
Mumbai-400 001.

2. The Assistant General Manager,
Regional Office,
The New India Assurance Company Limited,
No.770-A, Spencer Towers, 3rd Floor,
Anna Salai, Chennai-600 002.

3. The Manager,
Appellate Authority,
The New India Assurance Company Ltd.,
H.R.M. Department,
Chennai Regional Office,
770-A, Spencer Towers, 3rd Floor,
Annasalai, Chennai - 600 002.

4. The Deputy Manager,
Disciplinary Authority,
The New India Assurance Company Ltd.,
H.R.M. Department,
Chennai Regional Office,
770-A, Spencer Towers, 3rd Floor,
Annasalai, Chennai - 600 002.

5. The Divisional Manager,
Disciplinary Authority,
Divisional Office - 712 800
The New India Assurance Company Ltd.,
No.1, Bharathi Road,
II Floor, AW Complex,
Cuddalore - 607 001.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorarified Mandamus to call for all relevant records relating to the impugned dismissal order issued in proceedings No. Nil dated 26.05.2004 passed by the Deputy Manager and Disciplinary Authority, New India Assurance Company Limited, Chennai Regional Office, 770-A, Spencer Towers, 3rd Floor, Anna Salai, Chennai-2 the 4th respondent herein and the appeal rejection order issued in proceedings No.CNRO:IDD:NKB:04 dated 24.11.2004 passed by the Manager, the Appellate Authority, The New India Assurance Company Limited, HRM Department, Chennai Regional Office 770-A, Spencer Towers, 3rd Floor, Anna Salai, Chennai-2 the 3rd respondent herein and quash the same as arbitrary, unreasonable, improper, illegal against the rules and regulations of the respondent, violating the fundamental rights, guaranteed under the Constitution of India and thereby direct the respondents to reinstate the petitioner into service with continuity of service, backwages and with all monetary and other consequential benefits.

For Petitioner : Mr.B.D.Deepak for
For Mr.S.Srinivasan
For Respondents 1 & 2 : Mr.A.Thayarapan

O R D E R

Petitioner has come up with this Writ Petition seeking to quash both the dismissal order dated 26.05.2004 passed by the 4th respondent herein and the appeal rejection order issued dated 24.11.2004 of the 3rd respondent herein.

2. Today, when the matter is taken up for hearing, it is represented by the learned counsel for the Petitioner that the Petitioner died long back and that, the son of the deceased Petitioner collected case papers from him and that, he does not have papers relating to the case on hand. Hence, he submitted that the matter may be dismissed as abated with liberty to the legal heirs of the Petitioner to move the Court for restoration of the present Writ Petition, if they are so advised.

3. Recording the submissions made by the learned counsel for the Petitioner, this Writ Petition is dismissed as abated, with liberty to the legal heirs of the deceased Petitioner to file a necessary Petition to restore this Writ Petition, if so advised. No costs.

-s/d-
Assistant Registrar

True Copy
Sub-Assistant Registrar

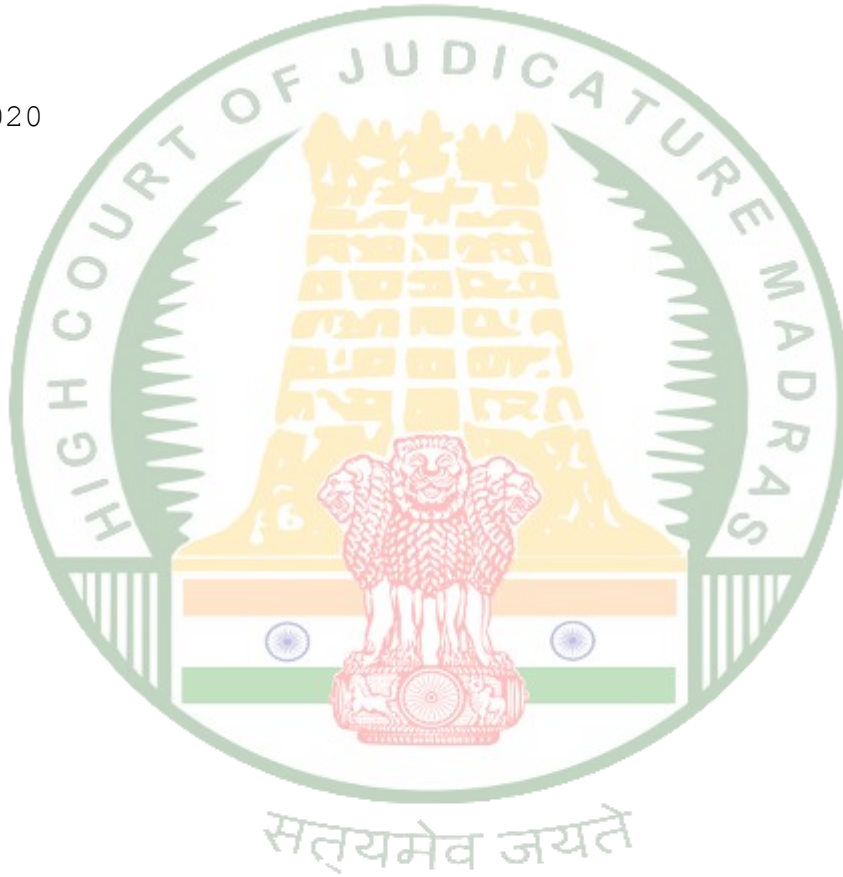
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To

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