



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 17.03.2020

CORAM

THE HON'BLE MR. JUSTICE T.RAJA

Writ Petition No.3360 of 2010

K.Balakrishnan
S/o.Kuppusamy

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Petitioner

Vs.

1.The Chief General Manager,
P & A/ Corporate Office,
Neyveli Lignite Corporation,
Neyveli, Cuddalore District.

2.The Chief Manager (Personal),
Mine - I,
Appellate Authority,
Neyveli Lignite Corporation,
Neyveli, Cuddalore District.

...

Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India, for issuance of writ of certiorarified mandamus, calling for the records pertaining to the proceedings of the 2nd respondent in Proc.No.MI/P&A/DAC/VIG/279-11/2006 dated on 21.02.2007, and quash the same and consequently direct the 2nd respondent and reinstate the petitioner into service with all attendants benefits back wages and continuity of service.

For Petitioner : Mr.A.Arasu Ganesan

For Respondents: Mr.N.Nithianandam,
Standing Counsel

ORDER

This writ petition has been directed against the impugned proceeding of the 2nd respondent in Proc.No.MI/P&A/DAC/VIG/279-11/2006 dated 21.02.2007, wherein, the petitioner was called upon to show cause as to why he should not be imposed removal of service from the respondent Corporation.

2.Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents.



3.Today, when the matter was taken up for hearing, learned Standing Counsel appearing for the respondents has stated that after the impugned proceeding calling upon the petitioner to show cause as to why he should not be imposed with the removal of service, on 09.03.2007 the punishment order of removal from service was also passed and the petitioner herein is no longer in service. More so, the petitioner has not questioned the final order dated 09.03.2007.

4.The petitioner has challenged only the incidental order i.e., show cause notice dated 21.02.2007. When the petitioner has failed to challenge the punishment order of removal from service, nothing survives in this writ petition. Therefore, the writ petition is dismissed. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

jbm

To

1.The Chief General Manager,
P & A/ Corporate Office,
Neyveli Lignite Corporation,
Neyveli, Cuddalore District.

2.The Chief Manager (Personal),
Mine - I,
Appellate Authority,
Neyveli Lignite Corporation,
Neyveli, Cuddalore District.

+1cc to Mr.N.Nithianandam, Advocate, S.R.No. 23838

W.P.No.3360 of 2010

MR(CO)
GN(15/07/2020)