

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE :17.09.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NO.25905 of 2016

M.Manoharan

..Petitioner

- Vs -

1. The District Collector,
Nagapattinam District, Nagapattinam.

2. The District Revenue Officer,
Nagapattinam District, Nagapattinam.

..Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Certiorarified Mandamus, Calling for the records from the file of 2nd respondent in his proceedings Na.Ka.No. 26965/2009/A4 dated 03.05.2012 and proceedings in Na.Ka.No. 26965/2009/A4 dated 01.11.2012 and quash the same consequently directing the 1st respondent to re-instate the petitioner in the post of Revenue Inspector after revoking the order of suspension passed in W.P.No. 19064 of 2009 dated 08/10/09 and W.P.NO. 3214 of 2011 dated 25/02/11.

For Petitioner : M/S.D.Malarvizhi

For Respondent : Mr. A.N.Thambidurai, Spl.G.P. for R1

ORDER

This Writ petition has been filed by the writ petitioner, to call for the records from the file of 2nd respondent in his proceedings Na.Ka.No. 26965/2009/A4 dated 03.05.2012 and proceedings in Na.Ka.No. 26965/2009/A4 dated 01.11.2012 and quash the same consequently directing the 1st respondent to re-instate the petitioner in the post of Revenue Inspector after revoking the order of suspension passed in W.P.No. 19064 of 2009 dated 08/10/09 and W.P.NO. 3214 of 2011 dated 25/02/11.

2.On instructions from the client, who was personally available with the learned counsel throughout the Virtual Court proceedings, learned counsel appearing for the petitioner place her submissions before the Court.

3. It is submitted by the learned counsel for the petitioner that the petitioner filed this Petition, challenging the impugned order dated 03.05.2012, on the ground that the

requirements of Rule 54 was not complied with. However subsequently the District Collector, Nagapattinam passed the impugned order dated 13.11.2019 treating the suspension period as leave on loss of pay and the period of absence during 2015-2018 was treated as leave on loss of pay. Challenging the said order, the petitioner has filed WP. No.495/2020 and, therefore, the prayer in this petition has become infructuous. Hence it is pleaded that this writ petition be closed with liberty to the petitioner to workout his remedy in the manner known to law.

4. Recording the said submission made by the learned counsel appearing for the petitioner, this petition is closed as nothing survives for further adjudication. There shall be no order as to costs. However the petitioner is granted at liberty to workout his remedy in a manner known to law.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The District Collector,
Nagapattinam District, Nagapattinam.
2. The District Revenue Officer,
Nagapattinam District, Nagapattinam.

+1cc to the Government Pleader in SR.NO..30500

सत्यमेव जयते

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(CO)
CS(/01/2019)

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