

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Friday, the Seventh day of August Two Thousand Twenty

PRESENT

The Hon`ble Mr Justice S.VAIDYANATHAN

WMP Nos.12827 AND 12828 of 2020

IN WP.NO.10563 OF 2020

T.K.VENKATASUBRAMANIAN [PETITIONER IN BOTH THE PETITIONS]
SON OF KRISHNASWAMI, 5/915,
APPU GOUNDER STREET, SENTHIL NAGAR,
ELAKKIYAMPATTI, COLLECTORATE (POST)
DHARMAPURI- 636 705.

Vs

1 THE DISTRICT COLLECTOR, [RESPONDENT IN BOTH THE PETITIONS]
DHARMAPURI.

2 THE DISTRICT REVENUE OFFICER,
DHARMAPURI.

3 K.S.KARUPPASAMY

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to stay the operation of the impugned order in Na.Ka.10731/2013/A3 dated 29.05.2020 on the file of the 1st respondent, (in WMP.No.12827/2020) pending disposal of the main Writ Petition 10563/2020 and;

(ii) to direct the respondents 1 and 2 to disburse the pension amount regularly to the petitioner without any break, (in WMP.No.12828/2020) pending disposal of the main Writ Petition. 10563/2020 respectively.

Order : These petitions coming on for orders upon perusing the petitions and the respective affidavits filed in support thereof and upon hearing the arguments of MR.S.SUDHARSHAN Advocate for the petitioner in both the petitions and of MR.K.K.RAMESH Government Advocate on behalf of the Respondents in both the petitions the court made the following order:-

I N T E R I M O R D E R

Heard the learned counsel for the Petitioners. Mr.K.K.Ramesh, learned Government Advocate takes notice for the Respondents 1 & 2.

2. It is represented by the learned counsel for the petitioner that aggrieved by the conviction order of the Special Judge-cum-Chief Judicial Magistrate, Dharmapuri passed in Special Case No.4 of 2012, the petitioner has preferred an appeal before this Court in CrI.A.No.189 of 2020, in which the sentence passed against the petitioner was suspended.

3. Mere suspension of sentence cannot be construed that the petitioner has been acquitted from all charges and the order of criminal Court has been set aside. Hence, this Court is not inclined to grant any interim stay in this petition and the petition filed in **W.M.P.No.12827 of 2020 is dismissed.**

4. Insofar as W.M.P.No.12828 of 2020 is concerned, no relief in respect of disbursement of pension amount regularly to the petitioner without any break, can be granted by means of an interim order and therefore, the Miscellaneous Petition in **W.M.P.No.12828 of 2020 stands dismissed.**

-sd/-

07/08/2020

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE DISTRICT COLLECTOR,
DHARMAPURI.

2 THE DISTRICT REVENUE OFFICER,
DHARMAPURI.

C.C. to S.SUBRAMANIAN Advocate on payment of necessary charges

The Government Advocate, High Court, Madras - 104.

Order
in

WMP Nos.12827 AND 12828 of 2020

IN WP.NO.10563 OF 2020

Date :07/08/2020

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