

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Writ Petition No.13394 of 2014

V.Jaganathan

... Petitioner

vs.

1. The Commissioner of Labour,
Chennai 600 006.
2. The Inspector of Labour,
Krishnagiri Taluk and District.
3. The Labour Officer,
(Social Security Scheme),
Krishnagiri Taluk and District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Certiorarified Mandamus to call for the records from the Respondents pertaining to the impugned suspension order A/651/2014, dated 25.04.2014 passed by the 2nd Respondent and its consequential order in F1/17050/2014 passed by the 1st Respondent and quash the same and consequently to direct the Respondents to permit the Petitioner to retire from service and provide all necessary retirement benefits including pension.

For Petitioner : Mr.P.Vijendran

For Respondents: Mr.S.Thangavel,

Special Government Pleader

ORDER

According to the Petitioner, he joined the Office of the Assistant Inspector of Labour on 08.01.1987 as Watchman. Thereafter, he was appointed as Office Assistant in the office of the Deputy Inspector of Labour at Salem on 22.08.1990 and on being promoted as Junior Assistant, he was transferred to the office of the Assistant Labour Office, Krishnagiri on 02.11.2001. On 16.09.2010, he was promoted as Assistant and transferred to the Inspector of Factories, Dharmapuri.

2. It is the case of the Petitioner that, while he was working as Assistant in the office of the 3rd Respondent from

16.10.2010 to 30.10.2013, at the eleventh hour of his superannuation, the 2nd Respondent issued the impugned suspension order dated 25.04.2014 and the 1st Respondent issued the consequential order dated 29.04.2014, not allowing the Petitioner to retire from service. Hence, the Petitioner has come up with this Writ Petition seeking to quash the impugned suspension order dated 25.04.2014 and the consequential order dated 29.04.2014 passed by the 1st Respondent, and for a consequential direction to the Respondents to permit him to retire from service and provide all necessary retirement benefits including pension.

3. Today, when the matter is taken up for hearing, learned Special Government Pleader appearing for the Respondents submitted that, an enquiry was conducted as regards the charges framed against the Petitioner and that, the punishment of 'compulsory retirement' was imposed on him and hence, nothing survives for consideration in this Writ Petition.

4. In reply, learned counsel for the Petitioner submitted that, the Petitioner has challenged the suspension order dated 25.04.2014 passed by the 2nd Respondent and the consequential order dated 29.04.2014 passed by the 1st Respondent, however, he is not aware of the subsequent disciplinary proceedings issued against the Petitioner.

5. In view of the above, as nothing further survives for consideration, recording the submissions of the learned Special Government Pleader appearing for the Respondents, this Writ Petition is dismissed as having become infructuous, with liberty to the Petitioner to work out his remedy in the manner known to law. No costs. Consequently, connected M.P.Nos.1 and 2 of 2014 are closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

(aeb)

To:

1. The Commissioner of Labour,
Chennai 600 006.
2. The Inspector of Labour,
Krishnagiri Taluk and District.

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3. The Labour Officer,
(Social Security Scheme),
Krishnagiri Taluk and District.

+1 CC to The Government Pleader sr 35603.
+1 CC to Mr.P.Vijendran, Advocate sr 36243.

W.P.No.13394 of 2014

PVS (CO)
SP(10/12/2020)



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