

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 02.11.2020

Coram

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No.18774 of 2014

and

MP Nos.1 & 2 of 2014

K.Raja ... Petitioner

-vs-

The Superintending Engineer,
Kovai Electricity Distribution Circle / North,
Tamil Nadu Electricity Generation and
Distribution Corporation,
Coimbatore - 12. Respondent

Prayer : Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Certiorari, calling for the records relating to the order of suspension passed against the petitioner in proceedings No.Ku.Aa. No.005038/90/Ni.Pi.1/Vu3/2013-13, dated 28.06.2014 on the file of the respondent.

For Petitioner : Mr.V.Elangovan

For Respondent : Mr.Karthik Rajan

ORDER

(This case has been heard through video conference)

This Writ Petition has been filed to call for the records relating to the order of suspension passed against the petitioner in proceedings No.Ku.Aa. No.005038/90/Ni.Pi.1/Vu3/2013-13, dated 28.06.2014 on the file of the respondent.

2. The case of the petitioner is that he belongs to Konda Reddy community (Scheduled Tribe) and obtained community certificate and based on the said certificate, he appointed as Assessor in the respondent Board on 02.06.1982 and thereafter was further promoted as Accounts Supervisor. On the charge that he has produced bogus community certificate enquiry was

initiated by issuing show cause notice. Report was obtained from the Tahsildar, Dharmapuri stating that the petitioner does not belong to the said community, the petitioner was placed under suspension. Challenging the aforesaid report, two writ petitions were filed by the petitioner before this Court in which directions were issued to the State Level Committee to verify the social status of the petitioner. Pending enquiry, the petitioner reached the age of superannuation on 30.06.2014. Whiles, on 28.06.2014, the respondent passed the impugned order. Challenging the said impugned order, this writ petition has been filed.

3. The learned counsel for the petitioner fairly submitted that subsequent to the filing of the writ petition, the petitioner was permitted to retire from service and that he is also receiving provisional pension. Learned counsel, while fairly concedes that nothing survives for adjudication, however, seeks liberty to work out further remedy in the manner known to law.

4. Heard Mr.Karthik Rajan, learned standing counsel for the respondent Board who has no objection to granting liberty to the petitioner.

5. In view of the above undisputed factual position, nothing survives for further adjudication and, accordingly, this writ petition is disposed of granting liberty to the petitioner to work out the remedy in the manner known to law. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

सत्यमेव जयते Sub Assistant Registrar

vsi2
To

The Superintending Engineer,
Kovai Electricity Distribution Circle / North,
Tamil Nadu Electricity Generation and
Distribution Corporation,
Coimbatore - 12.

+lcc to Mr.Doraisamy, Advocate Sr.35403

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srg 04/12/2020