



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.11.2020

CORAM:

WEB COPY

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD).Nos.19960 & 19961 of 2014

and

MP(MD)No.1 of 2015 in W.P.(MD).Nos.19960 of 2014

M.Muthusamy ... Petitioner (In both Wps)

-Vs-

1.State of Tamilnadu

Rep by Agricultural Production Commissioner,
and Principal Secretary to Government ,
Fort St. George, Chennai-9.

2.The Chief Engineer,

Agricultural Engineering Department,
Nandanam, Chennai-35.

... Respondents (In both WPs)

Prayer in W.P.(MD).No.19960 of 2014: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorari, calling for the records relating to the 1st respondent in his proceedings G.O.(3D)No.176, dated 28.08.2014 suspension order and quash the same.

Prayer in W.P.(MD).No.19961 of 2014: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the records relating to the 1st respondent in his proceedings G.O.(3D)No.178, dated 31.08.2014 Agriculture (AA8) Department and quash the same and further direct the 1st respondent to allow the petitioner to retire from service and to pay all the retirement benefits to the petitioner within a time limit fixed by this Court.

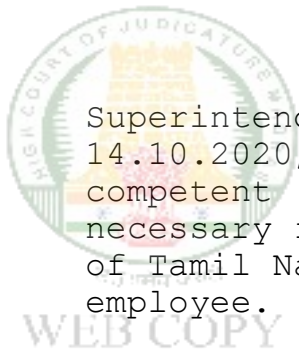
For Petitioner : Mr.PT.S.Narendra Vasan
(In both WPs)

For R1 & R2 : Mr.P.Mahendran
Additional Government Pleader
(In both WPs)

COMMON ORDER

The learned Additional Government pleader appearing on behalf of the respondent submitted a letter sent by the Assistant Executive Engineer, Sivagangai, dated 14.10.2020 addressed to the

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Superintendent Engineer, Virudhunagar. As per the said letter dated 14.10.2020, the order of abatement has already been passed by the competent authority. Due to demise of the writ petitioner, necessary family pension proposals were sent to the Account General of Tamil Nadu for Family Pension to the legal heirs of the deceased/employee.

2. In view of the fact that the disciplinary proceedings got abated against the deceased/petitioner and the authorities competent has also passed necessary orders and further submitted that family pension proposals were sent to the Account General of Tamilnadu. The legal heirs of the petitioner has to approach the authorities for receiving the benefit in accordance with the procedure contemplated. As far as the writ petition is concerned, no adjudication is required. Accordingly, these writ petitions stand disposed of. No costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(RTI)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

dss/vsg

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1. The Agricultural Production Commissioner
and Principal Secretary to Government,
State of Tamilnadu
Fort St. George, Chennai-9.

2. The Chief Engineer,
Agricultural Engineering Department,
Nandanam, Chennai-35.

+1 CC to M/s.GP (SR-22398[F] dated 20/11/2020)

W.P. (MD) .Nos.19960 & 19961 of 2014
and MP (MD) No.1 of 2015
19.11.2020

SGS (CO)

TR(30.11.2020) 2P 4C

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