



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.10.2021

CORAM

THE HONOURABLE DR. JUSTICE ANITA SUMANTH

W.P.No.15054 of 2009 and
MP.No.2 of 2009 and
MP.No.1 of 2010

K.Nagarajan

...Petitioner

Vs

1. The Commissioner,
Municipal Administration,
Chepauk, Chennai-5.

2. The Municipal Commissioner,
Avadi Municipality, Avadi,
Thiruvallur District.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue Writ of Certiorarified Mandamus, to call for the records relating to the proceedings of the impugned suspension order passed by the first respondent in his proceeding in R.O.C. No.74957/2006/OP3, dated 26.12.2006 and the consequential order of the second respondent in Na.Ka.No.9861/06/C1 dated 05.01.2007 by reflecting the order passed by the first respondent and to quash the same and consequently direct the respondents to revoke the suspension of the petitioner with arrear of salary or all back wages, all monetary benefits and continuity of service.

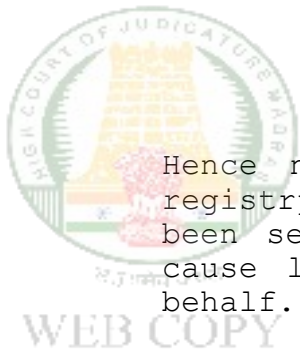
For Petitioner : No Appearance

For Respondents : Mr.C.Selvaraj (for R1)
Government Advocate

Mr.Ragavendran (for R2)
for Mr.R.Murali

O R D E R

This matter has been listed for hearing on 18.08.2021, 19.08.2021 and 09.09.2021, after admission in the year 2009, and one hearing in the year 2011. In all the hearings held in 2021, there has either been no representation for the writ petitioner or representing counsels have sought an accommodation on the ground that they have been unable to contact the petitioner.



Hence notice was issued to the petitioner through Court and registry directed to place proof of service on file. Notice has been served and the name of the petitioner is printed in the cause list. However, there is no representation by or on his behalf.

2. Be that as it may, Mr.C.Selvaraj, learned Government Advocate appearing for R1 has placed on file two proceedings of the Director and Commissioner of Municipal Administration, dated 29.06.2016 and 23.12.2014 respectively, noting that charges had been framed as against the petitioner and an order of suspension passed. Vide proceedings dated 23.12.2014, the suspension was revoked and the petitioner reinstated into service. Proceedings dated 29.06.2016 notes the pendency of charge memos in vigilance case and audit paras case. The petitioner was however permitted to retire from service upon attaining the age of superannuation on 30.06.2016 without prejudice to the charges framed in respect of the vigilance case and audit paras pending against him. Mr.Selvaraj confirms that subsequently, all charges have been dropped.

3. Recording the aforesaid, this writ petition is closed. No costs. Connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

vs

To

1. The Commissioner,
Municipal Administration,
Chepauk, Chennai-5.
2. The Municipal Commissioner,
Avadi Municipality, Avadi,
Thiruvallur District.

+1 cc to the Government Pleader, Sr.No.52026

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GP[co]
NSK 22/10/2021