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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.08.2021

CORAM

THE HON'BLE MR.JUSTICE M.SUNDAR

W.P.NO.23073 OF 2008
AND
M.P.NO.2 OF 2008

T.A.Subramaniam,
Junior Assistant (Under Dismissal),
Kande Goundan Chavadi Check Post,
Regional Transport Office,
Coimbatore. ... Petitioner

-Vs.-

1. State of Tamil Nadu
   Rep. by its Secretary to Government
   Home Department (Transport)
   Fort St.George,
   Chennai - 600 009.

2. The Special Commissioner and Transport Commissioner,
   Ezhilagam,
   Chepauk,
   Chennai - 600 005. ... Respondents

PRAYER:-

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, calling for the entire records in G.O.(D)No.772 Home (Transport 2-A) Department dated 01.07.2008 on the file of the 1st respondent and the proceedings bearing No.90544/V5/02 dated 15.12.2006 on the file of the 2nd respondent herein and quash the same and direct the respondent herein to restore the petitioner back to service with arrears of pay and other allowances and other attendant benefits.

For Petitioner : Mr.K.Sridhar
For M/s.K.Sridhar Associates

For Respondents : M.C.Selvaraj
Government Advocate
For R1 & R2

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O R D E R

Mr.K.Sridhar, learned counsel of M/s.K.Sridhar Associates (Law Firm) on behalf of sole writ petitioner and Mr.C.Selvaraj, learned State counsel for two respondents are before this Virtual Court.

2. Learned counsel for writ petitioner, in his usual fairness submits that the writ petition was filed way back in 2008 (18.09.2008 to be precise), the writ petitioner had a statable case is learned counsel's say, but thereafter, the writ petitioner was mulcted with another set of charges and he is facing criminal prosecution vide Special C.C.No.16 of 2014 on the file of Chief Judicial Magistrate Court, Tiruppur.

3. In the light of the above obtaining position, learned counsel for writ petitioner submits that it will serve the purpose if the captioned writ petition is disposed of as closed, without expressing any opinion or view on merits of the matter. Learned counsel also brings to the notice of this Court that the writ petitioner is now 71 years old and therefore, such a pragmatic submission is being made.

4. In the light of the narrative thus far, captioned Writ Petition is disposed of as closed, making it clear that no view or opinion has been expressed by this Court in this order qua the contentions of both sides. Consequently, connected miscellaneous petition is also disposed of as closed. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

mk

To

1. The Secretary to Government,
   State of Tamil Nadu,
   Home Department (Transport),
   Fort St.George,
   Chennai - 600 009.

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2. The Special Commissioner and Transport Commissioner,
Ezhilagam,
Chepauk,
Chennai - 600 005.

+1cc to the Government Pleader, S.R.No.40050

W.P.NO.23073 OF 2008

PCH(CO)
PBS/09/09/2021

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