



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.11.2021

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

W.P. No.16171 of 2010

and

M.P.No.1 of 2010

G. Mohansingh

... Petitioner

Vs.

1.The Secretary

T.N. Public Service Commission,
Chennai-6

2.The Controller of Examinations and
Secretary In-charge,

T.N. Public Service Commission,
Chennai-6.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus calling for the records of the respondents 1 and 2 in Proc.No.824/PD-D3/2001 dated 19.04.2006 and Proc.No.824/PD-D3/2000 dated 29.05.2006 respectively and quash the same.

For Petitioner : Mr.M. Muthappan

For Respondents:Mr.Karthik Rajan
(Standing Counsel)

ORDER

The present writ petition is filed by the petitioner challenging the impugned order passed by the first and the second respondents in proceedings Nos.824/PD-D3/2001 and 824/PD-D3/2000, dated 19.04.2006 and 29.05.2006 respectively.



2. It is informed by Karthik Rajan, Standing Counsel for TNPSC appearing for the respondents that under the proceedings No.824/PD-E4/2001 dated 20.08.2020, the charges framed under Rule 17(b) of the Tamil Nadu Civil Services (Discipline & Appeal) Rules, against the petitioner, consequent to which he was placed under suspension and he was not allowed to retire from the services vide impugned proceedings dated 19.04.2006. The petitioner had died on 23.06.2020, thus in terms of the orders issued in G.O.M.S.No.2999, Public (Ser), Department, dated 04.12.1969, the impugned proceedings would abate. The learned standing counsel for the respondent informs this Court that the he had also circulated the proceedings No.824/PD-E4/2001 dated 20.08.2020 to the learned counsel for the petitioner, wherein the following is recorded:

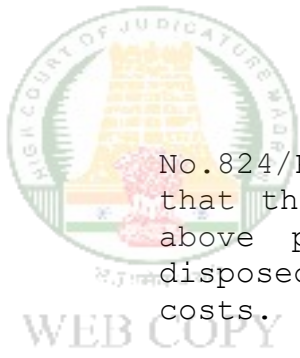
" Whereas, charges framed under rule 17 (b) of Tamil Nadu Civil Services(Discipline & Appeal) Rules issued against Thiru G. Mohansingh, Section Officer (Placed under suspension and not allowed to retire from service) in the reference third read above and is pending, shall abate, consequent on the death of him on 23.06.2020, in accordance with the orders issued in G.O. (Ms)No.2999, Public (Ser.) Department, dated 04.12.1969.

2. Whereas an order placing Thiru G.Mohansingh, Section Officer under suspension was made in the proceedings first read above. As the individual is no more, the undersigned, hereby revokes the order of suspension issued in the proceedings first read above and allows the individual deemed to have retired from service with effect from the date of his superannuation i.e., on 31.05.2006 A.N.

3. In view of it, the period between 19.04.2006, (i.e, the date of Suspension of Thiru.G.Mohansingh) and 31.05.2006(i.e., date of deemed retirement) is hereby treated as duty for all purpose.

4. As the individual is no more,this posthumous proceedings is issued to his wife viz., Tmt. Prema w/o Late. G. Mohansingh.

3. It is submitted by the learned counsel for the respondent that in view of the same nothing survives in this writ petition. The matter was listed on 16.11.2021,18.11.2021and 23.11.2021. However, there was no representation by the learned counsel for the petitioner. In the light of the proceedings



No.824/PD-E4/2001 dated 28.02.2020, this Court is of the view, that the present writ petition may not be kept any longer. The above proceedings is recorded and the writ petition stands disposed of, in view of the same. There shall be no order as to costs. Consequently connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-IX)

// True Copy //

Sub Assistant Registrar

smn

To

- 1.The Secretary
T.N. Public Service Commission,
Chennai-6
- 2.The Controller of Examinations and
Secretary In-charge,
T.N. Public Service Commission,
Chennai-6.

W.P. No.16171 of 2010
and
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JPL(CO)
CB(13/12/2021)