



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.11.2021

CORAM:

THE HON'BLE MR. JUSTICE D.KRISHNAKUMAR

W.P.No.26680 of 2009
and M.P.No.2 of 2009

Tmt.Indira Antony Mary
Headmistress,
(Panchayat Primary School, Kodamanor),
Kunnamkurichi Village,
Oomangalam,
Viruthachalam Taluk,
Cuddalore District.

... Petitioner

vs.

The District Elementary Education Officer,
Mangakuppam,
Cuddalore.

...Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari calling for the records from the respondent relating to the impugned proceedings in Na.Ka.No.1617/Aa2/2008 dated 03.12.2009 and quash the same.

For Petitioner : M/s.R.Rajaram

For Respondent : Mr.T.Arunkumar,
Additional Government Pleader

O R D E R

The writ petitioner, who is formerly Headmistress of the Panchayat Union Primary School, Kodumanur, challenging the charge memo dated 03.12.2009 issued by the respondent, has filed this writ petition. At the time of entertaining the writ petition, an order of interim stay was granted by this Court.

2. The learned counsel appearing for the petitioner would submit that after the entertainment of the writ petition and



granting of interim order of stay by this Court, he has not received any instructions from the petitioner.

3. Mr.T.Arunkumar, learned Additional Government Pleader appearing for the respondent, on instructions, has produced copies of the relevant records before this Court as well as the counter affidavit of the District Educational Officer Vridhachalam wherein it has been stated that the petitioner, namely, Tmt.Indira Antony Mary, Headmistress, Panchayat Union Primary School died on 06.02.2019 and the petitioner has already submitted her explanation to the charge memo dated 03.12.0009 and the same was considered by the respondent and final order was passed, vide proceedings in Rc.1617/A2/2008 dated 13.10.2010 imposing punishment of stoppage of increment for one year without cumulative effect. The learned Additional Government Pleader would further submit that after the death of the writ petitioner, her legal heirs has received the Death-cum-Retirement Gratuity [DCRG] benefits and therefore, the prayer sought for by the writ petitioner challenging the charge memo, in view of the above, has become infructuous.

4.Recording the submission of the learned Additional Government Pleader, this Writ Petition stands dismissed as infructuous. It is open to the legal heirs of the deceased writ petitioner to approach the concerned authority for other reliefs as per law/rules. No costs. Consequently, connected miscellaneous petition is also dismissed.

SD/-
ASSISTANT REGISTRAR

// TRUE COPY //

SUB ASSISTANT REGISTRAR

Jvm
To

The District Elementary Education Officer,
Mangakuppam,
Cuddalore.

+1cc to the Government Pleader sr.60695

W.P.No.26680 of 2009

pl[co]
srg 03/12/2021