



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE D.KRISHNAKUMAR

W.P.NO.28629 OF 2013

AND

MP.NO.2 OF 2013

S.Suriyakala

... Petitioner

.Vs.

1. The Secretary to Government,
Social Welfare Department,
Fort St. George, Chennai -9.

2. The Principal Secretary/ Commissioner,
Department of Social Defence,
Purasaiwalkam High Road,
Chennai-10.

... Respondents

Prayer: Writ petition filed under Section 226 of the Constitution of India seeking to issue a Writ of Certiorari Mandamus to call for the records connected with the proceedings issued in Pa.Mu.No.12675/A1/2003 dated nil.05.2012 passed by the 2nd respondent and quash the same and pass orders.

For petitioner : Mr.S.Ilamvaludhi

For respondents : Mr.T.Arunkumar,
Addl.Govt. Pleader
for R1and R2

ORDER

This writ petition has been filed to quash the proceedings issued by the second respondent in Pa.Mu.No.12675/A1/2003 dated nil.05.2012.

2. According to the petitioner, she was appointed as Assistant Superintendent in Government Vigilance Home, Mylapore on 23.04.1998 by Tamil Nadu Public Service Commission. While the petitioner was in service, a charge memo dated 31.07.2003 was



issued against her, framing two charges and for that, she had given her explanation. Thereafter, the enquiry officer given her findings on 31.12.2004. Subsequently, the second respondent passed the impugned order imposing a punishment of stoppage of increment for two years with cumulative effect.

3. Today, when the matter is listed for hearing, the learned counsel appearing for the petitioner brought to the notice of this court that the petitioner has filed an appeal against the impugned order before the first respondent on 31.12.2012 and it was disposed by the first respondent on 21.04.2019 and hence, this matter reached finality. However, the counsel for the petitioner prayed that the petitioner entitled for promotion from the date of the impugned order passed by the second respondent and hence, the same has to be considered by the respondents.

4. The learned Additional Government Pleader submitted that, since the Appellate Authority has passed the order against the impugned order, that order has become final and hence, the prayer sought for in the writ petition has become infructuous. He further submitted that, if the petitioner is having any grievance, she can approach the concerned authorities and the same would be considered by them, in accordance with law.

5. Inview of the submissions made by the learned counsel appearing for both the parties, the prayer sought for in the writ petition has become infructuous and nothing survives for further adjudication. However, if the petitioner is having any grievance, she is at liberty to make a representation before the concerned authorities.

6. With the above observations, this writ petition is dismissed as infructuous. Consequently, connected miscellaneous petition is closed. No costs.

Sd/-
Assistant Registrar (CS II)

//True Copy//

Sub Assistant Registrar

mst



To

1. The Secretary to Government,
Social Welfare Department,
Fort St. George, Chennai -9.

2. The Principal Secretary/ Commissioner,
Department of Social Defence,
Purasaiwalkam High Road,
Chennai-10.

+lcc to Mr.S.Ilamvaludhi, Advocate, S.R.No.60234

+lcc to Government Pleader, S.R.No.60021

W.P.No.28629 of 2013 and
M.P.No.2 of 2013

NMI (CO)
CS/30/11/2021