

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.01.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBBIAH
and
THE HONOURABLE MR.JUSTICE SATHI KUMAR SUKUMARA KURUP

Writ Appeal No.1225 of 2019
and
C.M.P.No.8444 of 2019

Superintendent of Police,
Cuddalore District, Cuddalore.

.. Appellant/
Respondent

Vs.

G.Uthirapathi

.. Respondent/
Petitioner

Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 12.12.2018 passed by the learned Single Judge in W.P.No.32823 of 2018 on the file of this Court.

WP.No.32823/2018 : Writ Petition filed Under Article 226 of the Constitution of India seeking a Writ of Mandamus directing the respondent to consider the petitioners representation dated 02/05/2018 within the trial frame fixed by this Court.

For appellant : Mr.N.Srinivasan, Addl.G.P.

For respondent: Mr.A.Vinoth for Mr.K.Gandhi Kumar

JUDGMENT

(The Judgment of the Court was delivered by R.Subbiah, J)

This Writ Appeal is filed as against the order dated 12.12.2018 passed by the learned Single Judge in W.P.No.32823 of 2018, whereby the learned Single Judge had directed the appellant to revoke the suspension order, dated 12.01.2018 and consequently pass orders within a period of eight weeks from the date of receipt of a copy of the order.

2. The said judgment was delivered by the learned Single Judge only based on the judgment of the Supreme Court reported in 2015 (7) SCC 291 (Ajay Kumar Choudhary Vs., Union of India).

3. Now, the respondent-writ petitioner had attained superannuation on 28.02.2019 and pending enquiry, he was not allowed to retire from service. Therefore, nothing survives for adjudication in the present Writ Appeal, which is accordingly dismissed. No costs. Consequently, C.M.P. is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

CS

To

1. The Superintendent of Police,
Cuddalore District, Cuddalore.

+1cc to Mr.K. GANDHIKUMAR, Advocate, S.R.No.4374

+1cc to the Government Pleader, Highcourt, Madras S.R.No.4050

VG11(CO)

SM/24/02/2021

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सत्यमेव जयते

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