



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.10.2021

CORAM

THE HONOURABLE MR.JUSTICE C.SARAVANAN

W.P.NOS.13110 & 15024 OF 2018

AND

WMP.NOS.17793 & 34995 OF 2018

&

WMP.NO.38918 OF 2018

&

WMP.NOS.15412&15413 OF 2018

S.Ramaraju

.. Petitioner in W.P.No.13110 of 2018

V.S.Geethabai (deceased)

1. G.Haridas

2. H.Krishan Prasad

3. H.Vishnu Prasad

(Petitioners 1 to 3 are impleaded

in WP.No.15024 of 2018 as per

the order of this Court made in

WMP.No.16931 of 2021, dated

8.10.2021)

.. Petitioners in W.P.No.15024 of 2018

Vs.

1. The State of Tamil Nadu,
Rep. by the Secretary to Government,
Commercial Tax Department,
Secretariat,
Chennai - 600 009.

2. The Additional Chief Secretary /
Commissioner of Commercial Taxes,
Chepauk,
Chennai - 600 005.

3. The Joint Commissioner (CT)
Enforcement,
Coimbatore

.. Respondents in both Wps.



Prayer in W.P.No.13110 of 2018 : Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorari to call for the records pertaining to the proceedings of the 3rd respondent in Ref.No.222/2018/A1 dated 24.05.2018 and quash the same as illegal, incompetent and ultravires.

Prayer in W.P.No.15024 of 2018 : Writ Petition filed under Article 226 of the constitution of India praying for issuance of a writ of Certiorari to call for the records pertaining to the proceedings of the 3rd respondent in Ref.No.222/2018/A1 dated 11.06.2018 and quash the same as illegal, incompetent and ultravires.

W.P.No.13110 of 2018

For petitioner : Mr.Singaravelan
Senior Counsel for
R.Jayaprakash

For Respondents 1 to 3 : Mr.L.S.M.Hasan Fizal
Government Advocate

W.P.No.15024 of 2018

For Petitioner : Mr.R.Singaravelan,
Senior Counsel
for R.Jayaprakash

For Respondents 1 to 3 : Mr.L.S.M.Hasan Fizal
Government Advocate

COMMON ORDER

These writ petitions have been filed challenging the proceedings of the third respondent dated 24.5.2018 and 11.06.2018 reverting the petitioners herein from the rank of Deputy State Tax Officer/Manager from the Office of the Appellate Deputy Commissioner (ST), Coimbatore as the Assistant pursuant to order of the second respondent.

2. Today, when the cases were taken up for hearing, the learned senior counsel appearing for the petitioners, submitted that the petitioner in W.P.No.13110 of 2018 was permitted to retire from service on 31.5.2018 on attaining the age of superannuation while the petitioner in W.P.No.15024 of 2018 was permitted to retire from service on 31.3.2020 on attaining the age of superannuation. He further submits that the petitioner in W.P.No.15024 of 2018 died on 7.5.2021.



3. Since the petitioner in W.P.No.13110 of 2018 has retired from service, the relief sought for herein has become infructuous and hence nothing survives for adjudication in the above writ petitions. Therefore, W.P.No.13110 of 2018 and W.P.No.15024 of 2018 are dismissed as having become infructuous. No costs.

4. It is however open for the legal heirs of the deceased petitioner in W.P.No.15024 of 2018 to approach the first respondent for settlement of retirement and other terminal benefits if any, which remains unpaid on account of the death of the petitioner by making proper application. If such application, is made, the same shall be considered and appropriate orders shall be passed on merits within a period of twelve weeks from the date of receipt of such representation. Consequently, the connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

adl

To

1. The Secretary to Government,
Commercial Tax Department,
Secretariat,
Chennai - 600 009.
2. The Additional Chief Secretary /
Commissioner of Commercial Taxes,
Chepauk, Chennai - 600 005.
3. The Joint Commissioner (CT)
Enforcement,
Coimbatore.

+2ccs to M/s.R.Jayaprakash, Advocate, S.R.Nos.53458 & 53459
+2ccs to the Special Government Pleader(Taxes), High Court,
Chennai, S.R.Nos.53476 & 53477

W.P.Nos.13110 & 15024 of 2018
and WMP.Nos.17793 & 34995 of 2018
& WMP.No.38918 of 2018
& WMP.Nos.15412&15413 of 2018

SJ(CO)
RLP(06/12/2021)