

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.33390 of 2014

&

MP.No.1 of 2014

S.Sathya @ Sathyavathi

... Petitioner

Vs

1. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 600 004.
2. The Inspector General of Police (Intelligence),
Special Branch - Crime Investigation Department (SB-CID),
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 600 004.
3. The Inspector General of Police,
State Crime Record Bureau,
No.95, Santhome High road,
R.A.Puram, Chennai - 28.

4. V.Santhanam

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the respondents 1 and 2 to initiate appropriate disciplinary proceedings under Tamilnadu Government Servant Conduct Rules as per the representation dated 05.11.2014 against the 4th respondent for setting up second matrimonial home, during the subsistence of the first marriage with the petitioner herein.

For Petitioner : Mr.V.Manohar
For R1 to R3 : Mr.A.N.Thambidurai, Spl.GP
For R4 : Mr.A.Arumugam

ORDER

This writ petition has been filed by the petitioner seeking a direction to the respondents 1 and 2 to initiate appropriate disciplinary proceedings against the fourth respondent under Tamil Nadu Government Servant Conduct Rules, based on her representation dated 05.11.2014.

2.Upon notice, the respondents filed a detailed counter affidavit, inter alia stating that based on the complaint filed by the petitioner, the department conducted enquiry, but no action was taken against the fourth respondent for want of material evidence and hence, disciplinary proceedings as sought by the petitioner, could not be initiated against the fourth respondent. It was further stated that the fourth respondent retired from service on reaching the age of superannuation on 31.12.2014 and there is no possibility, not to disburse the retirement benefits, as there was no proceedings pending against him. Stating so, the respondents sought to dismiss this writ petition.

3.Today, when the matter was taken up for consideration, the learned counsel for the petitioner, on instructions, submitted that subsequent to the filing of this writ petition, the petitioner's representation was already considered and hence, nothing survives for adjudication herein.

4.In view of the above submission made by the learned counsel for the petitioner, this writ petition is dismissed as having become infructuous. No costs. Consequently, connected miscellaneous petition is also dismissed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Director General of Police,
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 600 004.
2. The Inspector General of Police (Intelligence),
Special Branch - Crime Investigation Department (SB-CID),
Dr.Radhakrishnan Salai,
Mylapore, Chennai - 600 004.

3. The Inspector General of Police,
State Crime Record Bureau,
No.95, Santhome High road,
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+1cc to the Government pleader Sr.4929

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srg 25/02/2021



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