



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.02.2021

CORAM:

**THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND
THE HONOURABLE MRS.JUSTICE S.KANNAMMAL**

**W.A(MD)NO.1206 OF 2012
and
M.P(MD)No.1 of 2012**

- 1.The District Collector,
Collectorate Building, Madurai.
- 2.The District Revenue Officer, Madurai.
- 3.The District Planning Officer,
The Office of the District Planning, Melamadai,
Madurai.
- 4.The Child Development Planning Officer,
The Office of the Child Development Planning,
Alanganallur,
Madurai District. : Appellants/Respondents

.vs.

S.Loorthumary : Respondent/Petitioner

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent praying this Court to set aside the order passed by this Court in W.P(MD)No.12149 of 2012, dated 11.10.2012.

Prayer in WP(MD). 12149 of 2012 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, in the nature of writ, to call for the records pertaining to the impugned order in Na.Ka.No.2221-A1-2012 dated 15.06.2012 passed by the 1st respondent and quash the same as illegal, consequently direct the 1st respondent to reinstate the petitioner with continuity of service and pass such further or other orders.

For Appellants : Mr.M.Murugan, Govt.Advocate

For Respondent : Mr.S.Moorthy



JUDGMENT

[Judgment of the Court was made by **PUSHPA SATHYANARAYANA, J.**]

This Writ Appeal is directed against the order passed by this Court in W.P(MD)No.12149 of 2012, dated 11.10.2012, in allowing the Writ Petition by setting aside the order of suspension.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.The order of the learned Single Judge is by setting aside the original order of suspension by giving liberty to the appellants herein to proceed against the respondent herein/Writ Petitioner for his misconduct, if so advised, in accordance with the rules.. etc.

4.When the matter is taken up for hearing today, the learned Government Advocate appearing on behalf of the the appellants would submit that the respondent herein/Writ Petitioner was re-instated into service and she was allowed to retire from service on 31.12.2013 and she has also been disbursed with the GPF and other retiral benefits. It is further submitted that the respondent/Writ Petitioner is no-more. Therefore nothing that survives for adjudication in this Writ Appeal.

5.In view of the same, the Writ Appeal is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is dismissed.

Sd/-

Assistant Registrar(CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

vsn

Note :

In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.



TO

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Alanganallur,
Madurai District.

+1 CC to M/s.SPL GP (SR-6191[F] dated 19/02/2021)

JUDGMENT MADE IN
W.A(MD)NO.1206 OF 2012
and M.P(MD)No.1 of 2012
17.02.2021

SE(CO)
TR(26.02.2021) 3P 6C