



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.01.2021

CORAM:

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

AND

THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

W.A(MD)No.601 of 2014

P.Senthil Kumar

... Appellant/Petitioner

Vs.

1. The Additional Director General of Police,
Home Guards and Director of Civil Defence - Trg.,
Chennai.

2. The Commissioner of Police,
Madurai City, Madurai.

3. The Area Commander,
Madurai Home Guards,
Madurai City,
Madurai.

... Respondents/Respondents

Prayer: Writ Appeal filed under Clause 15 of the Letters Patent against the order, dated 30.09.2013 made in W.P(MD)No.16129 of 2013 on the file of this Court.

Prayer in WP(MD). 16129/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order passed by the 2nd respondent in his proceedings in Na.Ka.No.S1/24501/387/2013 Ka.A.A.No.976/2013 dated 09.07.2013 and quash the same as illegal and consequently directing the respondents to reinstate the petitioner as Section Leader under the 3rd Respondent and pass such further or other orders as this Hon'ble Court.

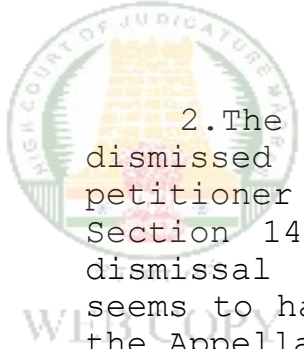
For Appellant : Mr.M.Kannan

For Respondents : Mr.K.P.Narayana Kumar,
Special Government Pleader.

JUDGMENT

**(Judgment of the Court was delivered by
PUSHPA SATHYANARAYANA, J.)**

<https://hcservices.ecourts.gov.in/hcservices/> The appellant / writ petitioner, who was working as a Home Guard under the respondents, was removed from service on 09.07.2013, which was challenged in W.P(MD)No.16129 of 2013.



2.The learned Single Judge, by order dated 30.09.2013, dismissed the Writ Petition with liberty to the appellant / writ petitioner to prefer an appeal against the order of removal under Section 14(1) of the Tamil Nadu Home Guard Act, 1963. After the dismissal of the Writ Petition, the appellant / writ petitioner seems to have filed an appeal under Section 14(1) of the Act before the Appellate Authority, availing the alternate remedy available.

3.It is stated in the counter-affidavit filed by the second respondent that the appeal resulted in favour of the appellant / writ petitioner, revoking the dismissal order dated 09.07.2013 and the appellant / writ petitioner was also reinstated by the first respondent in his proceedings in RC.No.A1/02893/HG & CD/2013, dated 28.01.2014. The said order was received by the appellant / writ petitioner on 18.02.2014 and from 03.04.2014, the appellant / writ petitioner is attending the duty.

4.Since the order of dismissal was already revoked by the Appellate Authority and he was reinstated in service, nothing survives to be adjudicated in the Writ Appeal, as it has become infructuous. Accordingly, the Writ Appeal is dismissed as infructuous. No costs.

Sd/-

Assistant Registrar (P&A)

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/ /2021

Sub Assistant Registrar(CS)

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To

1. The Additional Director General of Police,
Home Guards and Director of Civil Defence - Trg.,
Chennai.
2. The Commissioner of Police,
Madurai City, Madurai.
3. The Area Commander,
Madurai Home Guards,
Madurai City, Madurai.

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KG(CO)

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