



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.03.2022

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.NO.10124 OF 2010

AND

M.P.NOS.2, 4 OF 2010 & 1 OF 2014

1.G.Sugumar (Deceased)
2.S.Thendral
3.S.Karthikeyan
4.S.Kavitha
5.S.Keerthivasan
(P2 to P5 substituted as LR of deceased
sole petitioner vide order dated
31.01.2022 in WMP.No.28215/2021
in WP.No.10124 of 2010)

...Petitioners

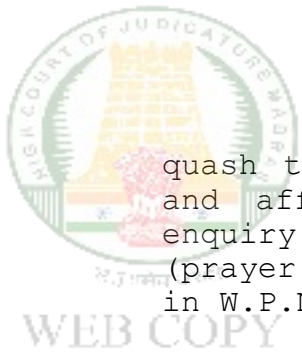
-Vs-

1. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Revenue Department,
Chennai - 9.
2. The District Collector,
Thiruvarur,
Thiruvarur District.
3. The Revenue Divisional Officer,
Thiruvarur,
Thiruvarur District.
4. Thiru.V.Gunasekaran

...Respondents

PRAYER:

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Certiorarified Mandamus, to call for the records connected with Letter Tha.Pa.1/08, dated 27.02.2009 passed by the 4th respondent and Letter/Memo No.4183/2007/A4 dated 07.04.2010 passed by the 3rd respondent and



quash the same and direct the respondent to reopen the enquiry and afford reasonable opportunity to the petitioner in the enquiry proceedings and proceed further course of action. (prayer amended vide order dated 10.06.2010 in M.P.No.3 of 2010 in W.P.No.10124 of 2010).

For Petitioner : Mr.V.Govardhanan

For R1 to R3 : Mr.E.Veda Bagath Singh,
Special Government Pleader

For R4 : No Appearance

ORDER

Heard Mr.V.Govardhanan, learned counsel for the petitioner and Mr.E.Veda Bagath Singh, learned Special Government Pleader appearing for the respondents 1 to 3. Though the name of the fourth respondent is printed in the cause list, none appeared on their behalf.

2. Based on a set of proven charges against a Government employee, namely, G.Sugumar, a show cause notice dated 07.04.2010, proposing a penalty, was issued to him and the same has been put under challenge in the present writ petition.

3. In view of the interim order of status quo granted by this Court, no further proceedings took place after the second show cause notice dated 07.04.2010. Pending the writ petition, the employee namely, G.Sugumar, expired on 21.05.2021 and his legal heirs have been substituted in the present writ petition.

4. In view of the death of the employee, the departmental action has abated and therefore, the employee would be deemed to have retired in service, owing to his death, without reference to the departmental action initiated against him.

5. In the light of this finding, there shall be a direction to the first and second respondents herein to pass appropriate orders, disbursing the death-cum-retirement gratuity benefits to the legal heirs of late G.Sugumar, who are the petitioners 2 to 5 herein, including the pensionary benefits, within a period of four (4) weeks from the date of receipt of a copy of this order.



6. Accordingly, the Writ Petition stands disposed of. No costs. Consequently, connected miscellaneous petitions are closed.

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Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

hvk

To

1. The Secretary to Government,
Revenue Department,
Chennai - 9.
2. The District Collector,
Thiruvarur,
Thiruvarur District.
3. The Revenue Divisional Officer,
Thiruvarur,
Thiruvarur District.

+lcc to Mr.V.Govardhanan, Advocate, S.R.No.15963
+lcc to the Government Pleader, S.R.No.15903

W.P.No.10124 of 2010
and
M.P.Nos.2, 4 of 2010 & 1 of 2014

MG (CO)
PM/22/03/2022