



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2022

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THE HONOURABLE MR.JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.2134 of 2004

C.Mathaian

...Petitioner

Versus

1. The Chief of Army Staff Army Quarters,
South Block,
New Delhi - 110 011.
2. The Commanding Officer,
322, A.D.Regiment,
C/o.56, A.P.O.
3. The Captain,
Record Officer,
Vayu Raksha,
Topkhana Abhi Lakh
Air Defence Artillery Records,
Nasik Road, Camp - 422 102.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a writ of certiorarified mandamus calling for the records relevant to the order in AD/14402515/72/W & R/NE(L.C) dated 31.01.2000 passed by the third respondent and quash the same as illegal, improper, unreasonable, arbitrary and against the principles of natural justice and against the Defence Rules and thereby, direct the respondents to reinstate the petitioner in to service from 31.01.2000 and pay back all the service benefits to the petitioner and permit the petitioner to continue in to service and quash the discharge order passed on 31.01.2000.

For Petitioner : Mr.B.Gopalakrishnan

For Respondents - 1 & 2 : Mr.V.Vaithiyalingam



O R D E R

Today, when the matter was taken up for hearing, the learned counsel for the petitioner submitted that the relief sought in this writ petition has become infructuous since the petitioner was acquitted from the criminal case lodged against him and subsequently, he was reinstated and retired from service. Therefore, the learned counsel submitted that nothing survives in this writ petition for further adjudication and he has also made an endorsement to that effect in the case bundle.

2. Considering the above submission coupled with an endorsement made by the petitioner's counsel, this writ petition is dismissed as infructuous. No costs.

Sd/-

Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

mrr

To

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GPL (CO)
PR (14/06/2022)