



W.P.No.6570 of 2011

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2022

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THE HONOURABLE MR. JUSTICE S.S.SUNDAR

W.P.No.6570 of 2011
and MP.No.2 of 2011

P.V.Narayanasamy

...Petitioner

-Vs-

1.The Chairman,
Common Cadre Authority/
Joint Registrar of Co-op Societies,
Kancheepuram Region, Vanavil Nagar,
Kancheepuram.

2.The Special Officer,
G.2212, Puliur Primacy
Agricultural Co-op Credit Society,
Puliur Village & Post tirukazhukundram Taluk,
Kancheepuram District.

3.The Deputy Commissioner of Labour,
(Minimum Wages),
DMS Compound Teynampet,
Chennai – 19.

...Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India
praying for issuance of a Writ of Certiorarified Mandamus, calling for the entire



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records relating to the impugned order passed by the 1st respondent in his proceedings Na.Ka.2508/07 B1, dated 15.06.2009 and the same was confirmed by the 3rd respondent in his proceedings T.S.E.II – 5/2009, dated 10.11.2010 and quash the same and consequently direct the respondents to reinstate the petitioner into service with all backwages and attendant benefits including the arrears of the subsistence allowance.

For Petitioner : No appearance

For R1 & R3 : Mrs.S.Anitha,
Special Government Pleader

For R2 : Mr.K.Rangesh

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ORDER

This Writ Petition is filed to call for the entire records relating to the impugned order passed by the 1st respondent in his proceedings Na.Ka.2508/07 B1, dated 15.06.2009 as confirmed by the 3rd respondent in his proceedings T.S.E.II – 5/2009, dated 10.11.2010 and quash the same and consequently direct the respondents to reinstate the petitioner into service with all backwages and attendant benefits including the arrears of the subsistence allowance.



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2.No representation for the petition. The learned Special Government Pleader appearing for respondent Nos.1 and 3 states that the petitioner filed the writ petition only to reinstate the petitioner with back wages and attendant benefits including the arrears of subsistence allowance, even though the termination was upheld. The learned Special Government Pleader produced a letter of G.2212, Puliur Primacy Agricultural Co-op Credit Society, Puliur Village & Post tirukazhukundram Taluk, Kancheepuram District along with the copy of the W.P.No.20489 of 2013 and the photocopy of the pass book of the petitioner. It is now reported before this Court that the petitioner has now attained the age of superannuation and it appears that a sum of Rs.1,59,488/- (Rupees one lakh fifty nine thousand four hundred and eighty eight only) has been settled in favour of the petitioner pursuant to the direction of this Court dated 29.07.2020 in W.P.No.20489 of 2013.

3.The learned Special Government Pleader appearing for the respondent Nos.1 and 3 states that in view of the order passed by this Court in W.P.No.20489 of 2013, this writ petition cannot be sustained. He prayed for



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dismissal of the writ petition on the ground that the prayer has become infructuous.

4.For non appearance of petitioner's counsel on 08.12.2022, this Court directed the Registry to list the matter for dismissal on 13.12.2022. However at the request of counsel for petitioner the matter was thereafter adjourned on two occasions. Today there is no representation. Recording the submissions made by the learned Special Government Pleader, this Writ Petition stands dismissed for non prosecution. No costs. Consequently, the connected miscellaneous petition is closed.

21.12.2022

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Index : Yes/No
Speaking/Non Speaking order

To

1.The Chairman,
Common Cadre Authority/
Joint Registrar of Co-op Societies,
Kancheepuram Region, Vanavil Nagar,
Kancheepuram.

2.The Special Officer,



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G.2212, Puliur Primacy
Agricultural Co-op Credit Society,
Puliur Village & Post tirukazhukundram Taluk,
Kancheepuram District.

3.The Deputy Commissioner of Labour,
(Minimum Wages),
DMS Compound Teynampet,
Chennai – 19.

S.S.SUNDAR. J.,

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