



W.P.No.21315 of 2016 & W.P.No.3641 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.21315 of 2016 & W.P.No.3641 of 2017

S.Karthik

...Petitioner
in both W.Ps

Vs.

- 1.The Union of India,
Rep. by its Secretary to Government,
Ministry of Home Affairs, New Delhi.
- 2.The Director General.
Central Industrial Security Force,
NGO Complex, Lodhi Road, New Delhi – 110 003.
- 3.The Inspector General / APs
Office of the Additional Director General,
Airport Sector,
Central Industrial Security Force,
CGO Complex, Lodhi Road,
New Delhi – 110 003.
- 4.The Deputy Inspector General,
Airport Sector,
Central Industrial Security Force,
Rajaji Bhawan,
Besant Nagar, Chennai – 600 090.



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5.The Commandant,
10th Reserve Battalion,
Central Industrial Security Force,
Arakkonam.

Respondents
in W.P.No.21315 of 2016

1.The Union of India,
Rep. by its Secretary to Government,
Ministry of Home Affairs,
New Delhi.

2.The Director General.
Central Industrial Security Force,
NGO Complex, Lodhi Road,
New Delhi – 110 003.

3.the Additional Director General,
Airport Sector,
Central Industrial Security Force,
CGO Complex, Lodhi Road,
New Delhi – 110 003.

4.The Deputy Inspector General,
Airport Sector,
Central Industrial Security Force,
Rajaji Bhawan, Besant Nagar,
Chennai – 600 090.

5.The Commandant,
10th Reserve Battalion,
Central Industrial Security Force,
Arakkonam.

Respondents
in W.P.No.3641 of 2017



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Prayer in W.P.No.21315 of 2016: Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records relating to the order No. V-14013/ APS/ CC-523/ KS/ LC/ 2013-15/ 9407, dated 08.10.2015 in so far as the portion relating to the punishment is concerned and the Show Cause Notice No. V-11014/ APS/ CC- 523/ KS/ LC/ 2013-1432 dated 18/22.02.2016 passed by the 3rd respondent and quash the same and to direct the respondents to regularize the period from 17.03.2012 to 24.10.2015 and pay back wages and other benefits.

Prayer in W.P.No.3641 of 2017: Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of Certiorarified Mandamus, to call for the records relating to the order No.V-14013/APS/CC-523/SK/ LC/2013/8136, dated 6.9.2016 in so far as the portion relating to the regularization of the period as DIES NON passed by the 3rd respondent and quash the same and to direct the respondents to regularize the period from 17.3.2012 to 24.10.2015 and pay back wages and other benefits.

For Petitioner : Mr.K.Sivakumar
in both W.Ps

For Respondents : Mr.S.Makesh
Central Government Standing Counsel
in W.P.No.21315 of 2016

Mr.K.Ramanamoorthy
Central Government Standing Counsel
in W.P.No.21315 of 2016



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COMMON ORDER

The two writ petitions were filed by the petitioner Late S.Karthik. During the pendency of the writ petition, the petitioner died and the learned counsel for the petitioner could not be able to secure further instructions from the legal heirs of the deceased employee for the purpose of getting along with the case.

2.The learned Central Government Standing Counsel appearing on behalf of the respondents states that the petitioner was a habitual offender and considering the earlier punishments the major penalty of dismissal from service was imposed on the deceased employee.

3.In view of the fact the petitioner could not be able to secure any further instructions to get along with the case, this Court is not in a position to adjudicate on merits. In the event receiving any representation from the legal heirs of the deceased employee the respondents are bound to settle all the dues if any to be paid to the deceased employee. If the legal heirs are further interested in pursuing the remedy in the present writ petitions, they are at liberty to file an appropriate



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petition within a reasonable period of time to reopen the writ petitions for the

purpose of adjudication on merits.

4. With this liberty, both writ petitions are closed. No Costs.

03.11.2022

Index : Yes
Internet : Yes
Speaking order : Yes
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To

1. The Secretary to Government,
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Ministry of Home Affairs,
New Delhi.
2. The Director General.
Central Industrial Security Force,
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Office of the Additional Director General,
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S.M.SUBRAMANIAM, J.

SSR

4.The Additional Director General,
Airport Sector,
Central Industrial Security Force,
CGO Complex, Lodhi Road,
New Delhi – 110 003.

5.The Deputy Inspector General,
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