



WEB COPY



W.P.No.29299

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.11.2023

CORAM:

THE HON'BLE MR. JUSTICE K.KUMARESH BABU

W.P.No.29299 of 2010
and M.P.Nos.1 & 2 of 2010

K.Dorairaju

...Petitioner

Vs.

- 1.The Chairman,
Tamil Nadu Electricity Board,
No.144, Anna Salai,
Chennai – 600 002.
- 2.The Chief Engineer, Personnel,
Tamil Nadu Electricity Board,
No.144, Anna Salai,
Chennai – 600 002.
- 3.The Chief Engineer, Distribution,
Coimbatore Region,
Tamil Nadu Electricity Board,
Tatabad, Coimbatore.
- 4.The Additional Chief Engineer,
Coimbatore Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Tatabad, Coimbatore.
- 5.The Executive Engineer,
Distribution,
K.Vadamamadurai,
Coimbatore.



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6.The Inspector of Police,
Vigilance and Anti Corruption,
Coimbatore.

... Respondents

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Prayer: 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 impugned order of suspension made in Memo No.021467/259/Adm-1/A3 /F.DV.AC/2009 dated 22.08.2009 passed by the 4th respondent and the consequential order made in Ku.Aa.No.017231/482/Ni.Pi 2(4)/2010 dated 05.08.2010 passed by the 3rd respondent and quash the same as illegal and without jurisdiction and consequently direct the respondents 1 to 4 to grant all attendant benefits including arrears of pay and other emoluments to the petitioner.

For Petitioner : Mr.G.Ananda Kumar

For Respondents : Mr.K.Rajkumar for R1 to R5
Mr.R.Neethi Perumal for R6
Government Advocate

ORDER

The Writ Petition has been filed challenging the order of suspension that has been passed against the petitioner.

2.The main grievance of the petitioner is that similarly placed persons were benefited with the revocation of order of suspension even though the criminal case had not come to an end.



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3.It is also brought to my notice that the petitioner had superannuated in the year 2013 and he had been not permitted to retire and he is being paid 50% of the back wages as per the Pension Rules.

4.Even if the petitioner had succeeded in getting an order of suspension set aside in view of the pendency of the criminal case on charges of trap, he would definitely not have been permitted to retire from service and would have been paid 50% of the back wages as per Pension Rules.

5.Since the petitioner had already superannuated and is being paid 50% of the pensionary benefits, I do not find any useful purpose would be served in adjudicating the *lis* that has been raised in this Writ Petition.

6.In view of the aforesaid observations, this Writ Petition is closed. There shall be no order as to costs. Consequently, the connected miscellaneous petitions are closed.

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Index: Yes/No
Speaking Order/Non-Speaking Order
pam



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K.KUMARESH BABU, J.

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