



WEB COPY



W.A.No.424 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 22.08.2023

CORAM

THE HONOURABLE Mr.JUSTICE R.MAHADEVAN
AND
THE HONOURABLE Mr.JUSTICE MOHAMMED SHAFFIQ

W.A.No.424 of 2023

S.Ligeshwaran
S/o. Mr. T.S. Subramani Desigar
No. 77 Kanniyamman Koil street
Thiruporur, Chengalpet Distirct 603 110

.. Appellant

Vs.

1.State of Tamil Nadu represented by
the Principal secretary to Government
The Tourism, Culture and
Religious Endowment Department
Secretariat, Fort St George, Chennai 09

2.The Commissioner
The Tamil Nadu Hindu Religious
and Charitable Endowments Department
Mahatma Gandhi Road
Nungambakkam, Chennai 34

3.The Joint Commissioner
The Tamil Nadu Hindu Religious
and Charitable Endowments Department
No.11/20, Thangavelar street
Kancheepuram 631 501



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4.The Assistant Commissioner
The Tamil Nadu Hindu Religious and
Charitable Endowments Department,
Collector Office Premises
Kancheepuram 631 501

5.The Executive officer
Arulmigu Kandhaswamy Thirukoil
Thiruporur, Chengalpet District 603110

.. Respondents

Writ Appeal filed under Clause 15 of the Letters Patent against the
order dated 09.09.2022 passed in W.P.No.25762 of 2022 on the file of this
Court.

For Appellant : Mr.S.R.Karthikeyan

For Respondents : Mr.Yashwanth
Additional Government Pleader

JUDGMENT

[Judgement of the Court was delivered by R.MAHADEVAN, J.]

According to the appellant, while he was working as Computer
Operator in the fifth respondent / temple, based on a complaint, disciplinary
proceedings was initiated against him and he was suspended from service
on 24.11.2016. Since, for almost six years, no progress seems to have been



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made in conducting the disciplinary proceedings, the appellant filed a writ petition in WP.No.25762 of 2021 seeking a direction to the respondent authorities to reinstate him in service with all attendant benefits and to pay the arrears of salary from 01.11.2016 to 23.11.2016 and subsistence allowance from 24.11.2016 along with interest. After hearing the submissions, the learned Judge by order dated 09.09.2022 disposed of the said writ petition by directing the authorities to complete the disciplinary proceedings within a period of three months from the date of receipt of a copy of that order, failing which, suspension order of the appellant should be revoked and the appellant would be reinstated in service. Stating that the learned Judge did not pass any order about the payment of arrears of salary and subsistence allowance, the appellant has filed the present writ appeal, challenging the order so passed in the writ petition.

2. Today, when the matter was taken up for hearing, the learned Additional Government Pleader appearing for the respondents, on instructions, submitted that subsequent to the filing of this writ appeal, final order came to be passed in the disciplinary proceedings on 11.08.2023,



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thereby, removing the appellant from service and hence, nothing survives for further adjudication in this appeal.

3. The aforesaid submission made on the side of the respondent authorities has been fairly conceded by the learned counsel for the appellant / writ petitioner. However, the learned counsel sought liberty to the appellant to approach the authority concerned for appropriate relief, including payment of subsistence allowance for the suspension period, etc.

4. Granting such liberty to the appellant, this writ appeal stands disposed of. No costs.

[R.M.D.,J.] [M.S.Q., J.]
22.08.2023

Index: Yes / No
Speaking order/ Non-speaking order
Neutral Citation: Yes / No
nsd



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