



W.P.No.7916 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2023

CORAM

THE HONOURABLE MR.JUSTICE K.KUMARESH BABU

W.P.No.7916 of 2011 &
M.P.Nos.2 & 3 of 2011

K.Mani

... Petitioner

Vs

- 1.The Secretary to Govt.,
Agricultural Dept.,
Secretariat, Chennai – 9.
- 2.The Commissioner of Horticulture,
Chepauk, Chennai – 5.
- 3.The Commissioner of Agricultural,
Chepauk, Chennai - 5.
- 4.The Deputy Registrar of Co-operative Societies,
Dharmapuri.
- 5.The Assistant Director of Horticulture,
Krishnagiri

... Respondents

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 orders in (1) Proc. No.DCS/1/3/41326/99, dated 02.03.2011,

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and (2) Pro.No.DCS.1/3/41326/99, dated 22.03.2011 of the third respondent (3) Lr.No.B1/511/89, dated 10.11.1998 of the second respondent and (4) Pro.Roc.No.B/3070/82, dated 16.12.1985 of the fifth respondent and quash the same and consequently direct the respondents herein to permit the petitioner to retire peacefully on attaining the age of superannuation on 31.03.2011 and to reimburse to him the entire amount recovered from him in pursuance of the third impugned order and to grant him all consequential service and monetary benefits, including all pay and allowances and arrears with retrospective effect from the date of such benefits to his immediate junior with 12% interest on delayed payments and pass such further order.

(Prayer amended as per order dated 20.04.2011 in M.P.No.4 of 2011)

For Petitioner : Mr.I.Kabilan for
Mr.M.Ravi

For Respondents : Mr.R.Neethi Perumal (GA)

ORDER

Challenge in this Writ Petition is the order of recovery, charge memo, order of suspension and also the order passed by the Government not allowing the petitioner to retire from service and for consequential relief to permit him to reimburse the entire amount

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recovered from him in pursuance of the impugned order.

2.It is brought to the notice of this Court by the learned Government Advocate appearing for the respondents that the Government had issued an Order in G.O.(3D).No.114, dated 04.08.2023, wherein an order of punishment of compulsory retirement had imposed on the petitioner.

3.In such view of the matter, the Writ Petition is disposed of with a liberty to the petitioner to challenge the same. However there shall be no order as to costs. Consequently connected Miscellaneous Petitions are closed.

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Index : Yes/No
Speaking order : Yes/No
Neutral Citations : Yes/No

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K.KUMARESH BABU,J.

Pbn

To

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