IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 19.10.2023

CORAM

THE HON'BLE Mr. JUSTICE R. MAHADEVAN
AND
THE HON'BLE Mr. JUSTICE MOHAMMED SHAFFIQ

W.A.No.1652 of 2021
and
CMP. No. 10405 of 2021

D.Mugundan .. Appellant

Vs.

1.M/s.Appasamy Associates
Rep. by its Partner
20 SBI Officers Colony
First Street
Arumbakkam
Chennai 600 106

2.The Commissioner of Commercial Taxes
Ezhilagam
Chepauk
Chennai 600 005

3.The Commercial Tax Officer
Vadapalani-I Assessment Circle
Chennai

4.The Secretary to the Government of Tamil Nadu
Commercial Taxes and Registration Department
Secretariat, Fort St. George
Chennai 600 009 .. Respondents

Writ Appeal filed under Clause 15 of the Letters Patent, against the order dated 06.07.2021 passed by the learned Judge in W.P.No.4355 of 2008.

For Appellant	:	Mr.K.Srinivasa Murthy
For 1st Respondent	:	No appearance
For R2 to R4	:	Mr.Haja Nazirudeen Additional Advocate General assisted by Mr.M.Venkateswaran Special Government Pleader

JUDGMENT

(Judgment of the court was delivered by R. MAHADEVAN, J.)

Challenging the order dated 06.07.2021 passed by the learned Judge in W.P.No.4355 of 2008, directing the Commissioner of Commercial Taxes/ 1st respondent therein, to place the appellant herein viz., D.Mugundan, State Tax Officer of the Commercial Tax Department, under suspension with immediate effect, by initiating disciplinary proceedings under the Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1955, this intra-court appeal has been preferred by the said officer.

2. When the matter was taken up for consideration, the learned Additional Advocate General appearing for the respondents submitted that pursuant to the order impugned herein, the appellant was placed under

suspension *vide* proceedings dated 07.07.2021. However, based on the subsequent order dated 15.07.2021 passed by the learned Judge, the order of suspension passed against the appellant was revoked with retrospective effect from 07.07.2021 and he was reinstated into service, *vide* proceedings dated 16.07.2021. In support of the same, the learned Additional Advocate General has produced the copies of the said proceedings in the form of typed set of papers dated 18.10.2023.

3. In view of the above, this court is of the opinion that nothing survives for further adjudication herein. Therefore, this writ appeal stands dismissed as having become infructuous. No costs. Consequently, connected miscellaneous petition is closed.

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

19.10.2023

Internet : Yes
Neutral Citation : Yes/No
gya

R. MAHADEVAN, J.
AND
MOHAMMED SHAFFIQ, J.

gya

To
1.The Commissioner of Commercial Taxes
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