



W.A.(MD)No.1101 of 2012

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.03.2023

CORAM:

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

AND

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

W.A.(MD)No.1101 of 2012

and

M.P(MD).No.1 of 2012

K.Sivanandam

... Appellant/ Petitioner

Vs.

1.State of Tamil Nadu,
Represented by its Secretary to Government
Department of Rural Development and
Panchayat Raj,
Fort St.George,
Chennai-600 009.

2.The Director,
Department of Rural Development and
Local Administration
Panagal Building 4th Floor,
Saidapet, Chennai-600 015.

3.The Director,
Directorate of Local Fund Audit,
Kuralagam 4th Floor,
Chennai-600 108.



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4.The Regional Deputy Director,
Local Fund Audit,
Shenoy Nagar,
Madurai-2.

5.The Assistant Director,
Local Fund Audit,
Sivagangai.

6.The District Collector,
Sivagangai District,
Sivagangai.

...Respondents

PRAYER: Appeal filed under Clause 15 of Letters Patent, against the order passed by this Court in W.P(MD)No.13380 of 2012 dated 15.10.2012.

For Petitioner : Mr.V.Karthick Raja,
for M/s.Ajmal Associates

For Respondents : Mr.A.K.Manickam,
Special Government Pleader

J U D G M E N T

(Judgment of the Court was made by ***R.SURESH KUMAR, J.***)

The appellant moved the writ petition in W.P(MD)No.13380 of 2012 seeking to quash the order passed by the sixth respondent, dated 30.05.2012, placing him under suspension and not allowing him to retire



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from service, though he attained the age of superannuation, which was dismissed by the order impugned, dated 15.10.2012 by the learned Judge.

2. When this writ appeal is taken up for hearing today, Mr.A.K.Manickam, learned Special Government Pleader appearing for the respondents would submit that, subsequently the petitioner/appellant was permitted to retire from service and in this regard, proceedings were issued by the District Collector, Sivagangai, ie., the sixth respondent, on 08.06.2017 and a copy of the same has been produced before this Court, where it is stated as follows:

“Whereas an order placing Thiru.K.Sivanandam, formerly Block Development Officer (B.Pt.), Kanangudi Panchayat Union, Sivaganga District under suspension was issued vide reference 1st cited above with immediate effect.

The undersigned District Collector Sivaganga in exercise of the powers conferred by sub-rule (e)(6) of rule 17 of the Tamil Nadu Civil Services (Discipline and Appeal) Rules, hereby revokes the said order of suspension with immediate effect.”



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3.In view of such development, where the plea raised by the petitioner before the writ Court since has been considered and granted, nothing survives in this appeal to be decided.

4.Recording the same, this writ appeal is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.K., J.) & (K.K.R.K, J.)
08.03.2023

NCC : Yes / No

Index : Yes / No

Internet : Yes / No

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To

- 1.The Secretary to Government of Tamil Nadu,
Department of Home,
Fort St. George,
Chennai-600 009.
- 2.The Deputy Inspector General of Prison,
Madurai Range,
Madurai-625 001.
- 3.The Superintendent,
Central Prison,
Palayamkottai.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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AND

K.K.RAMAKRISHNAN, J.

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