



WEB COPY



W.P.No.15020 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.15020 of 2012
and M.P.No.1 of 2012

P.Jabannathan
S/o.Palaniappan

... Petitioner

Vs.

1. The Commissioner,
Hindu Religious & Charitable Endowment
Nungambakkam, Chennai – 34.

2. The Assistant Commissioner,
Hindu Religious & Charitable Endowment
Erode.

3. The Joint Commissioner,
Hindu Religious & Charitable Endowment,
Head Office, Nungambakkam, Chennai -34.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, for issuance of Writ of Certiorarified Mandamus, calling for records relating to 3rd respondent's proceedings made in Na.Ka.No.23060/2012/P.4 dated 14.05.2012, to quash the same and consequently direct the respondents to revise and refix the pay and other allied service benefits by effecting the modified punishment of the 1st respondent made in Se.Mu.Na.Ka.3893/2008/P4 dated 05.02.2011 for



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stoppage of increment for a period of three years without cumulative effect from the date of imposition of the original punishment and to extend all benefits both service and monetary.

For Petitioner : Ms.N.R.Jasmine Padma

For Respondents : Mr.K.Karthikeyan
Government Advocate [H.R & C.E]

ORDER

This writ petition is filed challenging the order dated 14.05.2012 and consequently direct the respondents to revise and refix the pay and other allied service benefits by effecting the modified punishment dated 05.02.2011.

2. A counter affidavit has been filed, in which, it has stated that in paragraph 5 as follows:

“5. It is submitted that in pursuance thereof, as directed by this Hon'ble Court, the 1st respondent herein conducted enquiry into the disciplinary proceedings and passed orders in Proc.Rc.No.3893/2008 B4 dated 05.02.2011 imposing punishment of stoppage of increment for a period of 3 years without cumulative effect. It is also



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submitted that subsequently, the period of absence of the petitioner was regularized by the Assistant Commissioner, H.R & C.E., Admn. Department, Salem in Proc. Rc.No.3909/1996 A2 dated 10.10.2011. It is submitted that the following monetary benefit has been settled to the petitioner as detailed below:

Sl. No.	Details	Bill Gross and Net Amount	Date of Settlement	Treasury
1.	Increment Arrears from 01.07.1996 to 31.12.2006.	Rs.1,09,995/-	07.08.2012	District Huzur Treasury, Erode.
2.	Leave Salary/Duty Pay from 12.08.1996 to 30.06.1998	Rs.27,639/- Rs.24,399/-	10.08.2012	District Huzur Treasury, Erode.
3.	6 th Pay Commission, Pay Fixation Arrears.	Rs.5,40,494/-	10.08.2012	District Huzur Treasury, Erode.
4.	6 th Pay Commission, Revised Pay Fixation Arrears.	Rs.1,13,505/-	10.02.2015	District Huzur Treasury, Erode.
5.	Increment Arrears from 01.07.2014 to 30.11.2014	Rs.21,862/-	06.04.2015	District Huzur Treasury, Erode.

Since the grievance of the petitioner has been settled, nothing survives for adjudication and the writ petition has also become infructuous.”



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Index: Yes
Speaking Order: Yes
Neutral Citation: No
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To

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D.BHARATHA CHAKRAVARTHY, J.

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