



W.P.No.17926 of 2011

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.17926 of 2011

and

M.P.No.01 of 2011

S.Gnanasekaran

Vs

....Petitioner

1. The Secretary to Government,
Home (Pol.2) Department,
Secretariat, Chennai – 9.
2. The Director General of Police,
Mylapore, Chennai -4.
3. The Deputy Commissioner of Police,
(Head Quarters),
Chennai Suburban Police,
Chennai -16.
4. The Superintendent of Police,
Perambalur District,
Perambalur.

.... Respondents

PRAYER: Writ Petition is filed under Article 226 of Constitution of India,
pleaded to issue a Writ of Certiorarified Mandamus, calling for the records
on the file of the fourth respondent in R.C.No.F3/13208/2007 dated



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28.06.2011 (D.O.No.404/2011) and to quash the same.

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For Petitioner : Mr.M.Ravi

For Respondents : Mr.D.Gopal
Government Advocate

ORDER

The Writ Petition has been filed to issue a Writ of Certiorarified Mandamus calling for the records on the file of the fourth respondent in R.C.No.F3/13208/2007 dated 28.06.2011 (D.O.No.404/2011) and to quash the same.

2. When the matter is taken up for hearing, the learned counsel for the petitioner submitted that, petitioner is no more and this Writ Petition may be closed giving liberty to the legal representatives of the deceased petitioner to agitate their right in the manner known to law.

3. The learned counsel for the respondents submitted that, Government has passed G.O.Ms.No.341 dated 21.05.2018, wherein it is stated as follows:

9. Accordingly, the Government order that:

(i) in exercise of powers conferred by sub-rule(e)(6) of rule 17 of the Tamil Nadu Civil Services (Discipline and Appeal) Rules hereby revoke the order of suspension first read above and permit Thiru S.Gnanasekaran, Assistant Commissioner of Police deemed to have



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been retired from service with effect from 30.06.2011.A.N.

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(ii) Further, consequent on the death of Thiru. S.Gnanasekaran, Assistant Commissioner of Police on 13.07.2016, the Government direct that charges pending against him in PR Nos.22 & 23/2001 and 33/2008 shall stand abated as per the orders issued in G.O.(Ms.)No.2999, Public (Services) Department, dated 04.12.1969 and also direct not to give effect to the G.O.third read above, in which the Government have already ordered to recover an amount of Rs.4,00,000/- from him in connection with the bungled investigation done by him in the double murder case.

4. In view of the abatement of charges against the petitioner and that petitioner deemed to have retired from service with effect from 30.06.2011, nothing survives in this petition. However, it is open to the legal representatives of the petitioner to agitate their right if any in the manner known to law.

5. Accordingly, this Writ Petition is disposed of. Consequently, connected miscellaneous petition is closed. No costs.

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Index :Yes/No

Internet:Yes/No



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To

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G.CHANDRASEKHARAN, J

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