



WEB COPY



W.P.No.28981 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.28981 of 2010

G.Ganesan

....Petitioner

Vs

1. The District Revenue Officer,
Ariyalur District Collector's Office Compound,
Ariyalur.

2. The Revenue Divisional Officer,
Udayarpalayam,
Ariyalur District.

....

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 of the Respondents, especially the second Respondent relating to his proceedings made in Na.Ka.Aa1/1381/06 dated 14.03.2008 as confirmed by the first respondent pursuant to his proceedings made in Na.Ka.001/104/2008 dated 23.01.2009 and quash the order dated 23.01.2009 as null and void, illegal and invalid, directing the Respondents to reinstate the Petitioner in service with all service and monetary benefits from March 2006 together with compensation for the awarding of punishment without adhering the procedures to be followed under rule 17(b) of T.N.Civil Services Discipline and Appeal Rules and for the infringement of the petitioner's fundamental rights, especially Article 20(3) of



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the Constitution of India.

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For Petitioner : Mr.A.Amal Raj
For Respondents : Mr.D.Gopal
Government Advocate

ORDER

The Writ Petition has been filed calling for the records of the Respondents, especially the second Respondent relating to his proceedings made in Na.Ka.Aa1/1381/06 dated 14.03.2008 as confirmed by the first respondent pursuant to his proceedings made in Na.Ka.001/104/2008 dated 23.01.2009 and quash the order dated 23.01.2009 as null and void, illegal and invalid, directing the respondents to reinstate the petitioner in service with all service and monetary benefits from March 2006 together with compensation for the awarding of punishment without adhering the procedures to be followed under rule 17(b) of T.N.Civil Services Discipline and Appeal Rules and for the infringement of the petitioner's fundamental rights, especially Article 20(3) of the Constitution of India.

2. When the matter is taken up, the learned counsel for the respondent submitted that, this Writ Petition has been filed challenging the punishment of dismissal from service subsequent to the acquittal of petitioner in criminal case in C.C.No.236 of 2010. Petitioner filed W.P.No.21357 of 2017 to modify the punishment. The said petition was disposed on 03.08.2023 modifying the



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punishment imposed on the petitioner from dismissal from service to one of cut in increment for a period of five years with cumulative effect and simultaneously treat the period of suspension as one of duty for the purpose of calculation of pension. The above said direction was ordered to be complied and proceedings to be issued within a period of 16 weeks from the date of copy of the order.

3. It is the further submission of the learned counsel for the respondent that, in view of the subsequent development and orders passed in W.P.No.21357 of 2017, nothing survives in this Writ Petition.

4. The learned counsel for the petitioner concedes that, he is not aware of the subsequent development.

5. This Court finds that, in view of the orders passed in W.P.No.21357 of 2017, nothing survives in this Petition. Accordingly, this Writ Petition is dismissed as infructuous. No costs.

08.02.2024

Index :Yes/No
Internet:Yes/No
Sma

G.CHANDRASEKHARAN, J



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