



W.P.No.29864 of 2010

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.29864 of 2010

Dr.G.Sundararaj

....Petitioner

Vs

1. The Secretary to Government,
Health and Family Welfare Department,
Fort St.George, Chennai – 600 001.
2. The Director of Medical Services,
Office of the D.M.S. Teynampet,
Chennai – 600 018.
3. Joint Director,
Medical Services and Family Welfare,
Virudhunagar.
4. Joint Director,
Medical Services and Family Welfare,
Sivagangai.

.... 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 relating to the impugned order of the 1st respondent passed in G.O.[D] 1277 Health and Family Welfare [K-2] Department dated 04.11.2008 and quash the same and direct the respondents to give all the service benefits of Pension, Gratuity leave salary and all other service benefits applicable on superannuation to the petitioner.



W.P.No.29864 of 2010

For Petitioner : Mr.K.M.Venugopal
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 relating to the impugned order of the 1st respondent passed in G.O.[D] 1277 Health and Family Welfare [K-2] Department dated 04.11.2008 and quash the same and direct the respondents to give all the service benefits of Pension, Gratuity leave salary and all other service benefits applicable on superannuation to the petitioner.

2. When the matter is taken up for hearing, the learned Government Advocate appearing for the respondents submitted that, petitioner's punishment of dismissal from service was modified into punishment of compulsory retirement. The Government issued G.O (D).No.790 dated 08.08.2012 in this regard. It is his further submission that, petitioner was also granted pension and Government has also issued G.O(D).No.241 dated 09.02.2016. He further submitted that petitioner was dead on 01.10.2015. and to that effect death certificate is also produced.



W.P.No.29864 of 2010

3. The learned counsel for the petitioner submitted that, he had also perused the Government Orders.

4. In the light of the subsequent development to the filing of Writ Petition that petitioner's punishment of dismissal from service was modified into compulsory retirement and he was paid pension and the petitioner was no more, this Court is of the view that nothing survives in this Writ Petition.

5. Accordingly, this Writ Petition is dismissed as infructuous. No costs.

08.02.2024

Index :Yes/No
Internet:Yes/No
Sma



W.P.No.29864 of 2010

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- To
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W.P.No.29864 of 2010

G.CHANDRASEKHARAN, J

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W.P.No.29864 of 2010

08.02.2024