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W.P.No.26284 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.04.2024

CORAM:

THE HONOURABLE MR.JUSTICE G.CHANDRASEKHARAN

W.P.No.26284 of 2013

and

M.P.No.1& 2 of 2013

N.Gopalakrishnan

...Petitioner

Vs

1.The State of Tamil Nadu,
Representing by its,
Secretary to Government,
Commercial tax & Registration Department,
Fort St.George,
Chennai – 600 009.

2.The Inspector General of Registration,
Santhome High Road,
Chennai – 600 028.

...Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, calling for the records of the 1st respondent herein in G.O.(2D)No.180 dated 28.08.2009 and the consequential order in G.O.(2D)No.181 dated 31.08.2009 and quash the orders dated 28.08.2009 and 31.08.2009 and consequently direct the respondents to settle all the retirement benefits of the petitioner.



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For Petitioner :Mr.M.Sivarathanan

For Respondents :Mr.P.Anandakumar, Government Advocate

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ORDER

The Writ Petition is filed calling for the records of the 1st respondent herein in G.O.(2D)No.180 dated 28.08.2009 and the consequential order in G.O.(2D)No.181 dated 31.08.2009 and quash the orders dated 28.08.2009 and 31.08.2009 and consequently direct the respondents to settle all the retirement benefits of the petitioner.

2.When the matter is taken up, learned Government Advocate submitted that during the pendency of this Writ Petition, petitioner namely N.Gopalakrishnan died. Consequent to his death, the Government issued G.O.(2D).No.69, Commercial Taxes and Registration (H) Department, dated 29.08.2022, whereby it is ordered that the Disciplinary proceedings stood abated. There was also a direction to the Inspector General of Registration to settle the terminal benefits to the legal heirs of the deceased Government servant. Therefore, he submits that nothing survives in this Writ Petition.



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3.G.O.(2D).No.69, Commercial Taxes and Registration (H) Department,

dated 29.08.2022, reads as follows,

“Consequent on the demise of Thiru.N.Gopalakrishnan, Deputy Inspector General of Registration (Extension of Service) on 15.11.2021, the Government direct that the disciplinary proceedings initiated against him in the charge memos first to sixth read above shall stand abated in accordance with orders contained in Government Order (Ms.) No.2999, Public (Services-B) Department, dated 04.12.1969 and Government Order (Ms.) No.151, Personnel and Administrative Reforms (N) Department, Dated 31.10.2018.

2. The Government direct the Inspector General of Registration to settle the terminal benefits due to him to the legal heirs of the deceased Government Servant.”

4.Learned counsel for the petitioner is also present. He is not in a position to give the details of the legal heirs of the deceased Government servant.



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G.CHANDRASEKHARAN, J.

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5.In view of the abatement of Disciplinary Proceedings and order to settle the terminal benefits due to the legal heirs of the deceased petitioner, this Court finds that nothing remains to adjudicate in this Writ Petition. Accordingly, this Writ Petition is dismissed as infructuous. Consequently, the connected Miscellaneous Petition is closed. No costs.

04.04.2024

Index:Yes/No

Speaking order/Non-speaking order

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To

1.The Secretary to Government,
Commercial tax & Registration Department,
Fort St.George,
Chennai – 600 009.

2.The Inspector General of Registration,
Santhome High Road,
Chennai – 600 028.

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