



WEB COPY



W.P.No. 12264 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2024

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THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P.No. 12264 of 2018

and

W.M.P.Nos. 14327 & 14332 of 2018 and 23852 of 2020

T. Gunasekar

... Petitioner

Vs.

The Managing Director,
Tamil Nadu State Apex Co operative Federation Ltd.,
No.571, Anna Salai, 4th Floor,
Nandanam, Chennai – 600 035.

... Respondent

Writ petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Certiorarified Mandamus, to call for the records made in impugned order Che.Mu.No.348/C/2014 dated 12.03.2014 on the file of respondent herein and quash the same as illegal and direct the respondent to reinstate the petitioner into services forthwith.

For Petitioner : Mr. R. Sankarasubbu

For Respondent : Mr. A. Rajaperumal
for Mr. L.P. Shanmuga Sundaram

ORDER

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent.



2. This Writ Petition has been filed against the order dated 12.03.2014 passed by the respondent wherein, the petitioner was suspended from service and also the petitioner sought consequential direction to reinstate him into service. Admittedly, there is no stay granted by this Court in this case.

3. A counter affidavit has been filed on behalf of the respondent. Based on the averments in the counter affidavit, the learned Standing Counsel submits that the disciplinary enquiry was concluded and the petitioner was dismissed from service vide proceedings dated 19.03.2021. It is also stated in the counter affidavit that the subsistence allowance also paid to the petitioner from 12.03.2014 to till the date of dismissal order.

4. In view of the fact that this writ petition has been filed against the suspension order pending disciplinary proceedings and as of now, disciplinary proceedings are concluded and final order was passed on 19.03.2021 by the respondent dismissing the petitioner from the service, in the considered opinion of this Court, nothing survives in this writ petition for adjudication.



W.P.No. 12264 of 2016

5. Accordingly, this Writ Petition has become infructuous.

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6. However, though there is specific averment in the counter affidavit filed by the respondent that the petitioner was paid subsistence allowance from the date of his suspension to till the date of dismissal, the learned counsel for the petitioner disputing the same and sought permission of the Court to ventilate his grievances on that aspect.

7. Accordingly, liberty is granted to the petitioner to avail his legal remedies if subsistence allowance is not paid to him, as stated by the respondent in their counter.

8. Consequently, connected miscellaneous petitions are closed. No costs.

13.03.2024

Index :Yes/No

Neutral Citation :Yes/No

AT

To
The Managing Director,
Tamil Nadu State Apex Co operative Federation Ltd.,
No.571, Anna Salai, 4th Floor,
Nandanam, Chennai – 600 035.



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W.P.No. 12264 of 2018

BATTU DEVANAND, J.

AT

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