



WP.No.15895 of 2017

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2024

CORAM:

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

WP.No.15895 of 2017 &

W.M.P.No.17202 of 2017

G.Vijayakumar

... Petitioner

Vs

1. Union of India represented by
the Secretary to Government,
[Agriculture & Forests],
Chief Secretariat, Puducherry.
2. The District Collector, Karaikal-cum-
Chairman, Krishi Vigyan Kendra,
Madhur, Karaikal.
3. The Programme Co-ordinator,
Krishi Vigyan Kendra, Madhur,
Karaikal.

... Respondents

Prayer:- Writ Petition filed under the Article 226 of Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records pertaining to the order of suspension made by the second respondent in



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N.500/CK/S/A1/2016 dated 19.09.2016 and quash the Order of suspension and consequently direct the respondents to reinstate the petitioner with all consequential monetary and other service benefits.

For Petitioner : Mr.M.Gnanasekaran

For Respondents : Mr.B.Ramaswamy
Additional Government Pleader

ORDER

This Writ Petition has been filed against the suspension Order dated 19.09.2016 passed by the second respondent against the petitioner and consequent direction to reinstate the petitioner with all consequential monetary and other service benefits.

2. The learned counsel for the petitioner submits that the sole petitioner died on 22.09.2021.

3. The learned Additional Government Pleader appearing for the respondents contends that the Order impugned in this writ petition is an Order of suspension of the petitioner from service and as the petitioner is



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no more, nothing survives for adjudication and sought to dismiss the writ petition.

4. Having considered the submissions of the both sides counsel and perusal of the materials on records, it appears that the petitioner was appointed as Inspector of Fisheries in the Department of Fisheries and Fishermen Welfare Puducherry on 07.10.1992. Thereafter, he was appointed as Training Assistant [Fisheries] at Krishi Vigyan Kendra with effect from 08.12.1993 and subsequently, he was posted as Principal – cum – Programme Co-ordinator by holding full additional duties arrangement vide Order dated 16.10.2015. The petitioner was placed under suspension by the second respondent by an Order dated 19.09.2016 and he was arrested by the police personnel and remanded to judicial custody on 23.09.2016 for the alleged offences punishable under sections 409 read with 39 IPC in Crime N.124 of 2016 on the file of the Thirunallar Police Station, Karaikal. Thereafter, he was enlarged on bail. Against the Order of suspension dated 19.09.2016, the petitioner has filed this writ petition.



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5. From the above, it is clear that the petitioner has challenged the Order of suspension passed by the second respondent and for consequential direction for re-instatement. In view of the fact that the petitioner died on 22.09.2021 after attaining the age of superannuation, in the considered opinion of this Court, nothing survives in this writ petition for adjudication.

6. In view of the above, this Writ Petition is dismissed. Consequently, connected miscellaneous petition is closed. No costs.

05.02.2024

vrc

To,

1. The Secretary to Government,
[Agriculture & Forests],
Chief Secretariat, Puducherry.
2. The District Collector, Karaikal-cum-
Chairman, Krishi Vigyan Kendra,
Madhur, Karaikal.
3. The Programme Co-ordinator,
Krishi Vigyan Kendra, Madhur,



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Karaikal.
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BATTU DEVANAND, J.

vrc

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