



W.P.No.21040 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 04.12.2024**

CORAM :

**THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER  
KUMAR**

**W.P.No.21040 of 2014**

Palanisamy - Deceased

2. Mrs.P.Backiyam

3.P.Mahendran

4.P.Jagadeeshwari

5.P.Ganapathy

[P2 to P5 are substituted as L.Rs of  
deceased P1, as per order dated 14.11.2024  
in W.M.P.No.35897 of 2024 in W.P.No.21040  
of 2014 by MSKJ]

... Petitioners

Vs.

1.The Managing Director,  
Tamil Nadu Civil Supplies Corporation,  
No.12, Thambusamy Road,  
Kilpauk, Chennai - 10.

2. The Senior Regional Manager,  
Tamil Nadu Civil Supplies Corporation,  
Goundanpalayam,  
Coimbatore.

... Respondents

**Prayer :** Writ Petition filed under Article 226 of the Constitution of India,  
praying for issuance of Writ of Certiorarified Mandamus to call for the records



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relating to the impugned order passed by the 1st respondent herein vide his proceedings Che.Mu.Aa.No.AT4/42636/12, dated 06.12.2012 and quash the same and consequently directs the 1st respondent herein to reinstate the petitioner along with all backwages and monetary benefits.

For Petitioners : Mr.T.Muruganantham

For R1 & R2 : Mr.C.Selvaraj

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### **ORDER**

The petitioner herein, while working as a Bill Clerk in the respondent-Corporation, was subjected to the disciplinary proceedings, and after conducting an enquiry into the matter, the petitioner was dismissed from service on 29.05.2000. Simultaneously, the petitioner was also subjected to criminal proceedings under the provisions of the I.P.C in C.C.No.68 of 2004, on the file of the Court of Judicial Magistrate No.I, Pollachi. The order of dismissal dated 25.09.2000 has not been challenged by the petitioner so far. While so, the petitioner was acquainted with the said C.C.No.68 of 2004 by a judgment dated 26.10.2010. It was thereafter, the petitioner submitted a representation, dated 05.03.2011 before the respondents, seeking reinstatement into service. Complaining against the action of the respondents' in considering the said representation, the petitioner approached this Court by



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filing W.P.No.25730 of 2011. The said Writ Petition was disposed of by an order dated 28.09.2012 while observing that the petitioner was not entitled to such relief of reinstatement without challenging the original order of dismissal, while directing the respondents to consider the representation dated 05.03.2011, submitted by the petitioner. It is pursuant to the said order dated 28.09.2012, the representation dated 05.03.2011 was rejected by the first respondent by passing the impugned order dated 06.12.2012. Being aggrieved by the order dated 06.12.2012, the present Writ Petition has been filed.

2. During the pendency of the writ petition, the original writ petitioner passed away, and accordingly, petitioners 2 to 5 who are the legal representatives of the deceased writ petitioner, have come on record.

3. The fact remains that the original order of dismissal from service, by order dated 29.05.2000, remains unchallenged as on date. In the absence of any challenge to the said order, the question of granting any relief to the petitioner in the present writ petition does not arise.



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4. In the above circumstances, this Writ Petition is dismissed, and the petitioners 2 to 5 are at liberty to take appropriate steps against the order of dismissal dated 29.05.2000, in accordance with law. No costs.

**04.12.2024**

Index : Yes/No  
Speaking Order : Yes/No  
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To:

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2. The Senior Regional Manager,  
Tamil Nadu Civil Supplies Corporation,  
Goundanpalayam,  
Coimbatore.

**MUMMINENI SUDHEER KUMAR,J.**



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