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W.P. No.31273 of 2014

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 28.08.2024**

CORAM :

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

**W.P.No.31273 of 2014**

A.P.Muthaiya (formerly known as K.P.Muthu) ... Petitioner  
Vs.

1.Secretary to Government,  
Co-operation, Food and Consumer Protection Department,  
Fort St. George, Secretariat,  
Chennai 600 009.

2.The Registrar of Co-operative Societies,  
Kilpauk,  
Chennai 600 010.

3.The Joint Registrar of Co-operative Societies,  
Thiruvannamalai Region,  
Thiruvannamalai.

4.The Deputy Registrar of Co-operative Societies,  
Thiruvannamalai Circle,  
Thiruvannamalai.

...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 relating to the impugned order passed by the 3<sup>rd</sup> respondent in Na.Ka.No.8849/1995/Pa.Tho, dated 03/09/2013, and to quash the same and consequently direct the respondents to pass appropriate orders to treat the



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period of suspension from 07/08/1987 to 31/08/1994 till the date of retirement on 31/08/1994 as duty period with all consequential and service benefits namely arrears of salary, revision of scale of pay based on pay commission recommendations corresponding fixation of retirement benefits on that basis along with interest.

For Petitioner : Mr.G.Sanakaran,  
Senior Counsel for S.Nedunchezhiyan

For Respondents : Mr.V.Nanmaran  
Additional Government Pleader

### **ORDER**

It was brought to the notice of this Court as early as on 05.08.2022 about the demise of the petitioner. However, inspite of adjourning the matter from time to time, no steps have been taken for bringing on record the legal representatives of the deceased sole petitioner.

2. Today, when the matter was taken up for consideration, it is represented by Mr.G.Sankaran, learned Senior Counsel that the counsel on record is unable to reach the legal representatives for filing appropriate application in the matter. In the circumstances, in view of the demise of the sole petitioner as early as long back, the proceedings in this writ petition cannot be continued in the absence of bringing on record the legal



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representatives.

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3. In view of the same, the writ petition is dismissed as abated. However, it is left open to the legal representatives of the deceased sole petitioner to file appropriate application, if they so desire. The connected miscellaneous petitions, if any shall stand closed. No costs.

**28.08.2024**

Index : Yes/No  
Speaking Order : Yes/No  
dpa

To:

- 1.The Secretary to Government,  
Co-operation, Food and Consumer Protection Department,  
Fort St. George, Secretariat,  
Chennai 600 009.
- 2.The Registrar of Co-operative Societies,  
Kilpauk,  
Chennai 600 010.
- 3.The Joint Registrar of Co-operative Societies,  
Thiruvannamalai Region,

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Thiruvannamalai.

4. The Deputy Registrar of Co-operative Societies,  
Thiruvannamalai Circle,  
Thiruvannamalai.

**MUMMINENI SUDHEER KUMAR,J.**

dpa

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