



W.P.(MD)No.18230 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.10.2024

CORAM:

THE HONOURABLE **MR.JUSTICE ABDUL QUDDHOSE**

W.P.(MD)No.18230 of 2019
and
W.P.(MD)Nos.14673 & 14674 of 2019

R.Jagadeeswaran

... Petitioner

/Vs./

1.The Managing Director,
Tamilnadu Co Operative Milk Producers Union Ltd.,
Muthuramalinganar Salai,
Nandanam, Chennai.

2.The General Manager,
Sivagangai District Co Operative Milk Producers Union Ltd.,
Kalanivasal,
Karaikudi – 630 002,
Sivagangai District.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified mandamus to call for the records of the impugned order passed by the 1st respondent vide proceedings Na.Ka.No. 6453/Pa.Ku.Tho.U.2/2019 dt.28.05.2019 in respect of deduction of 35% of loss amount against the petitioner and the consequential orders passed



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by the 2nd respondent in Na.Ka.No.180/Pa.Ni1/19-1 dt.07.06.2019 and Na.Ka.No.180/Pa.Ni.1/19-1 dt.18.6.2019 and quash the same as illegal and consequently direct the respondents to release the full leave salary sum of Rs.6,82,935/- to the petitioner forthwith.

For Petitioner : Mr.Sachin Ragul
for M/s.C.Arul Vadivel Sekar & Associates
For Respondents : Mr.J.Devasenan

ORDER

When the matter is taken up for hearing, the learned counsel appearing for the petitioner would submit that subsequent to the filing of this writ petition, the impugned recovery order dated 28.05.2019 has been modified by the respondents vide order dated 29.06.2022, by which the amount has been reduced from Rs.6,82,935/- to Rs.2,97,656/-. He would further submit that the modified order dated 29.06.2022 has also been challenged by the very same petitioner in WP(MD)No.21807 of 2022.



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2. In view of the aforesaid submission, this Court is of the considered view that the present writ petition has now become infructuous, since subsequent to the filing of this writ petition, the petitioner has challenged the subsequent order passed by the respondents dated 29.06.2022 in WP(MD)No.21807 of 2022.

3. After recording the submission made by the learned counsel appearing for the writ petitioner, this Court is dismissing this writ petition as infructuous. Accordingly, this writ petition is dismissed as infructuous by granting liberty to the petitioner to raise all the contentions which have been raised in this writ petition, in the subsequent writ petition filed by the petitioner in WP(MD)No.21807 of 2022 pending on the file of this Court. No costs. Consequently, connected miscellaneous petitions are closed.

17.10.2024

Index : Yes / No
NCC : Yes / No
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ABDUL QUDDHOSE, J.

Sm

Order made in
W.P.(MD)No.18230 of 2019

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17.10.2024