



W.A.(MD) No.1347 of 2019

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.07.2024

CORAM

JUSTICE N. SESHASAYEE

and

JUSTICE P.VADAMALAI

W.A.(MD) No.1347 of 2019

S.Radhakrishnan

... Appellant/Petitioner

Vs.

1.The Agricultural Production Commissioner
and Secretary to Government,
Department of Agriculture,
Secretariat, Chennai-600 009.

2.The Director of Agriculture,
Chepauk, Chennai-600 005.

3.The Joint Director of Agriculture,
Tallakulam, Madurai-625 002.

4.The Assistant Director of Agriculture,
T.Kallupatti, Peraiyur Taluk,
Madurai District.

... Respondents/
Respondents



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Prayer: Appeal filed under Clause 15 of Letters Patent against the order dated 27.08.2019 made in W.P.(MD) No.3659 of 2015 on the file of this Court.

For Appellant : Mr.S.Rajasekar
for M/s.T.Lajapathiroy Associates

For Respondents : Mr.A.Baskaran
Additional Government Pleader

JUDGMENT

(Judgment of the Court was delivered by N.Seshasayee, J.)

The present writ appeal arises out of an order passed dismissing W.P.(MD) No.3659 of 2015. The said petition was preferred by the appellant challenging a charge memo issued against him.

2. Learned counsel for the appellant made a fair statement that the disciplinary proceedings initiated against the appellant had concluded and resulted in dismissal and that was challenged in W.P.(MD) No.1585 of 2020. He also added that the appellant herein has passed away and his wife as legal representative continued to prosecute the other writ petition filed challenging the order of dismissal. He also added that the learned Single Judge has allowed that writ petition in W.P.(MD) No.1585 of 2020 and the second



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respondent herein has challenged the same in W.A.(MD) No.1056 of 2023.

He submitted that the present writ appeal may be tagged to the same.

3. Inasmuch as the cause of action for the present writ appeal is lost, nothing survives for consideration in this appeal. This apart, consequent to the demise of the appellant, his legal representatives too were not brought on record. Therefore, there is no need to tag this writ appeal with W.A.(MD) No.1056 of 2023. It is however made clear that nothing in this case will be a hindrance to the legal representative of the present appellant to put forward the case against the legitimacy of the order of dismissal passed against the appellant.

4. Accordingly, this Writ Appeal is dismissed as the same having become infructuous. No costs.

(N.S.S., J.)

(P.V.M., J.)

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NCC : Yes/No

Index : Yes/No

Internet : Yes

ABR



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