



WA No. 3701 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-12-2025

CORAM

THE HON'BLE MR JUSTICE R. SURESH KUMAR

AND

THE HON'BLE MR.JUSTICE SHAMIM AHMED

**WA No. 3701 of 2025 and
CMP No.30511 of 2025**

1. The Secretary To Home Department
Government Of Tamil Nadu, Fort St. George,
Chennai-9.
2. The Additional Director General Of Prisons,
Chennai-8.
3. The Deputy Inspector General Of Prisons,
Coimbatore Range, Coimbatore District.
4. The Superintendent Of Prisons
Central Prison, Coimbatore-18

..Appellants

Vs

A.Bhupathi
S/O. Arumugam, No.19,
9th Street, Tatabat, Gandhipuram, Coimbatore 18

..Respondent(s)

Prayer : Writ Appeal under Clause XV of the Letters Patent to set aside the order dated 08.07.2024 made in W.P.No. 13052 of 2014 and allow this Writ Appeal and thus render justice.

For Appellants :

Mr.S.Yashwanth
Additional Government Pleader

For Respondent :

Mr.P.I Thirumoorthy



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JUDGMENT

(Judgment of the Court was delivered by R.Suresh Kumar J.)

This intra court appeal has been filed against the order passed by the Writ Court dated 08.07.2024 made in W.P.No.13052 of 2014.

2. The respondent was the writ petitioner, against whom disciplinary proceedings were initiated and ultimately the punishment of compulsory retirement has been awarded, as against which though he filed an appeal unsuccessfully, ultimately challenging those orders he filed the said writ petition.

3. The learned Writ Court by order dated 08.07.2024 set aside the punishment and remitted the matter back to the respondents therein, who are appellants herein to reconsider the matter on the basis of the representation in this regard given by the writ petitioner and pass appropriate orders, giving any alternative punishment not being the punishment of compulsory retirement or dismissal from service. The relevant portion of the order reads thus,

" 17. Accordingly, this Writ Petition is disposed of, setting aside only the punishment of compulsory retirement imposed on the petitioner by the 4th respondent in proceeding No.5804/Po4/2011 dated 16.08.2011 and the matter is remanded back to the disciplinary authority with direction to accept the fresh representation from the petitioner and taking into consideration of



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the fresh representation and the submissions of the petitioner in this case, to impose appropriate punishment proportionate to the misconduct committed by the petitioner, except compulsory retirement and dismissal from service, by following the due process, as expeditiously as possible and not later than three months from the date of receipt of copy of the order. No Costs. Consequently, connected Miscellaneous Petition is closed."

4. Aggrieved over the said order, the present writ appeal though had been filed, the learned Additional Government Pleader appearing for the appellants would submit that, during the pendency of this appeal, the order passed by the Writ Court in fact had been complied with by the appellants and in this context, after considering the representation given by the petitioner, alternative punishment has been given by order dated 11.09.2025. In support of his contention, he produced a copy of the order passed by the Superintendent of Central Prison ie., the disciplinary authority in Order No.5804/G4/2011 dated 11.09.2025, where inter-alia the following orders have been passed:

" His pay reduced by two stages for a period of five years with cumulative effect. This punishment will affect his pension.

4. Orders for regulating the suspension period will be issued separately. For the out of employment period ie., from 17.08.2011 to 31.03.2023, may be regularized as leave whichever he is eligible



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and the remaining period shall be regulated as Extraordinary Leave (EOL).

5. He is directed to acknowledge the receipt of this order in the duplicate copy."

5. In view of the said development, whether during the pendency of the writ appeal or before the writ appeal is moved since the order passed by the writ Court which is impugned herein has been complied with, where an alternative punishment has been given, a copy of which also has been produced before this Court, having perused the same, we are of the firm view that nothing survives in the present writ appeal for adjudication. In that view of the matter, by recording the above development, this writ appeal is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

6. In this context, Mr.P.I.Thirumoorthy learned counsel for the respondent submits that, even the order dated 11.09.2025 by which the punishment awarded against the petitioner is too harsh. Be that as it may, it is open to the respondent to agitate the matter in the manner known to law.

(R.S.K.,J.) (S.S.A.,J.)
11-12-2025

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
KST



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To
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**R.SURESH KUMAR, J.
AND
SHAMIM AHMED, J.**

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