

(2008) 04 MAD CK 0075

In the Madras High Court

Case No : Writ Petition No's. 18727 of 2001, 29158 of 2002, 35442 of 2004, 32200 of 2005, 3013 to 3024 of 2006 and 37775 of 2007 and W.P.M.P. No's. 47473 of 2002 in Writ Petition No. 29158 of 2002 and 14794 of 2005

Dr. S. Ching Chyang Ching

APPELLANT

Vs

The Registrar, Tamil Nadu Administrative Tribunal and The Director of Elementary Education

RESPONDENT

Date of Decision : 22-04-2008

Acts Referred:

Tamil Nadu Civil Services (Discipline and Appeal) Rules, 1955 — Rule 17

Citation : (2008) 04 MAD CK 0075

Hon'ble Judges : P.K. Misra, J;K. Chandru, J

Bench : Division Bench

Advocate : Party in Person, for the Appellant; S. Rajasekar, Spl. GP, for the Respondent

Final Decision : Dismissed

Judgement

K. Chandru, J.—Heard the arguments of the petitioner, who appeared in person, and Mr. S. Rajasekar, learned Additional Government

Pleader (Education) representing the official respondents and have perused the records.

2. The petitioner in all these writ petitions is the same person who was appearing in person. When the first batch of cases was listed, it was heard

on 21.02.2008. Thereafter, the petitioner mentioned the pendency of some other writ petitions and they were directed to be listed on 26.02.2008.

The petitioner was also heard on that day. Subsequently, when orders were reserved in both batches of cases, the petitioner sent a telegram to this

Court and requested that judgment should not be pronounced for a period of

three weeks and prayed for an adjournment. Such a conduct on the part of the petitioner is highly reprehensible and he should desist from sending such telegrams to the Judges of this Court by giving directions to the Court as to when judgments are to be pronounced.

3. The petitioner was working in the Education Department and belonged to the Tamil Nadu Education Subordinate Service. His original name was Chandrasekaran and subsequently, by a Gazette Notification, he had changed his name as Ching Chyang Ching. Subsequently, he added a prefix to his name and started calling himself as Dr. Ching Chyang Ching. When questioned as to where he got the Degree, he frankly conceded that he was practising a new system of medicine.

4. Be that as it may, the petitioner ever since the year 1997 started filing cases before the Tamil Nadu Administrative Tribunal [for short, "Tribunal"] and started filing Original Applications one after the other. In some of the cases, there were interim orders in favour of the petitioner and in some cases, final orders were passed. Arising out of such orders, Writ Petitions started coming to this Court. The earliest writ petition that came to this Court was W.P. No. 18727 of 2001 wherein he had prayed for a direction to the Tribunal to hear all his 14 final hearing and part heard cases which were posted on 13.8.2001 only after clearing the Subsistence Allowance arrears to be paid to him at the rate of 75% of the pay for the period from 15.9.1995 till the date (ie., 24.7.2001) as ordered by the Tribunal in O.A. No. 4096 of 2001. Since the office raised maintainability of such a writ petition, it cannot be posted before the Court and the matter was not admitted and was adjourned from time to time.

5. As against the order of the Tribunal dated 29.6.2001 made in O.A. No. 4096 of 2001, the Director of Elementary Education filed a writ petition being W.P. No. 29158 of 2002 and the same was admitted on 08.8.2002 and also notice was ordered in the stay application.

6. Since the Tribunal was abolished, pending Original Applications were transferred to this Court. Hence, the various Original Applications filed by the petitioner were re-numbered as writ petitions. The following tabular statement will show the Original Applications filed by the petitioner and its corresponding writ petition Nos. as well as the relief prayer sought for by the petitioner.

Sl.No.	W.P. No.	Prayer	Remarks
--------	----------	--------	---------

(O.A. No.)

1. 18727 of 2001 To issue a direction to the

Tribunal to hear all the 14

final and part-heard matters

only after the subsistence

allowance @ 75% for the period

from 15.9.2005 till date is

paid to him as ordered by the

Tribunal in O.A. No. 4096 of

2001.

2. 3013 of 2006 To call for the proceedings of It was dismissed for default

(O.A. No. 680 the Director of School Education on 03.10.2001 along with other

of 1997) and to give suitable direction to case. M.A. No. 1216 of 2002 was

post the petitioner as P.G. Teacher filed to restore 2 months after

(Commerce) or Lecturer in DIET and the dismissal, The M.A. got

to give less writing work and more transferred to this Court and

supervisory work in view that he re-numbered as W.P.M.P. No.

was afflicted with writer's cramp 14794 of 2005.

and as certified by the Medical

Board dt. 09.6.1993.

3. 3014 of 2006 To pay minimum annual interest at

(O.A. No. 3373 the rate of 18% for the salary

of 1997) arrear already ordered in O.A. No. 2389

of 1995 dated 26.02.1997 and reimburse

Rs. 20,000/- spent for towards

various litigations

4. 3015 of 2006 To direct the respondents to grant

(O.A. No. 5491 one advance increment falling of 1997) on 01.11.1992 and to pay the arrears from 01.11.1992 till the date of the

O.A. With interest at the rate 18% pa and cost Rs. 1000/-

5. 3016 of 2006 To sanction third incentive increment

(O.A. No. 5616 (fifth and sixth advance increments) of 1997) w.e.f. the date of his acquiring

M.Com. Degree (June 1989) after reviewing

G.O. Ms. No. 1023 dated 09.12.1993 as a consolation for not providing any promotional opportunity for over 25 years.

6. 3017 of 2006 To issue order revoking his suspension Second prayer covered by the

(O.A. No. 8781 dated 15.9.1995 and to reinstate him Division Bench order dated of 1997) as P.G. Assistant and to regularise the 16.3.2007 in W.A. No. 3528 period from 15.9.1995 to 15.10.1997 of 2004

as duty.

7. 3018 of 2006 To quash the order dated 13.5.1997 The order dated 13.5.1997 is

(O.A. No. 10041 and to post him as Deputy Inspector of a memo of additional charges

of 1998) Schools and to regularise the period under rule 17(b).

from 01.10.1995 onwards.

8. 3019 of 2006 To quash the proceedings dated (1)Copy of the said order directed

(O.A. No. 10130 27.11.1997 revoking the suspension. to be given in O.A. No. 8781

of 1998) To serve a copy of legally valid of 1997 dated 04.11.1997.

document in support of the revocation (2)In O.A. No. 1894 of 2000 of suspension ordered by the Director dated 28.4.2000, the said order of School Education and to regularise was directed to be given. the period of non-employment from (3)In C.A. No. 253 of 2000 15.9.1995 to 31.10.1998 dated 11.8.2000, the order was given in the open Court.

9. 3020 of 2006 To set aside the proceedings dated Request to post him as AEEO was

(O.A. No. 10613 09.10.1998 and to post him as AEEO negated as no such post of 1998) or Deputy Inspector of Schools. in Government

10. 3021 of 2006 To include his name in the panel Charge memo under Rule 17(b)

(O.A. No. 260 as on 01.01.1999 for P.G. Assistant / pending challenge in O.A. of 1999) High School Headmaster for the No. 7224/97 and O.A. No. 10041/98 year 1998-99 without prejudice to the charges pending against him

11. 3022 of 2006 To quash the proceedings 24.9.1999 Second prayer covered by the

(O.A. No. 1894 and pay subsistence allowance at the Division Bench order dated of 2000) rate of 75% for the period 16.3.2007 in W.A. No. 3528 of 2004 from 15.9.1999 to 29.02.2000 with

12% interest and to issue revised

scales of pay and to give a fresh

order of revocation of suspension

12. 3023 of 2006 To quash the order dated 08.11.2000 The order dated 08.11.2000

(O.A. No. 3130 restoring him to the post is the posting order of 2001) of BT Teacher

13. 3024 of 2006 To post him as P.G. Assistant

(O.A. No. 5352 (Commerce) w.e.f. 13.6.1989 since of 2000) the charge-memo dated 18.12.1986 was

quashed in O.A. No. 8077 of 1997

dated 28.4.2000

14. 32200 of 2005 To revoke the suspension dated 02.3.1995 Covered by the order of Division

(O.A. No. 812 and post him at Chennai and also to Bench dated 16.3.2007 in of 2002) regularise the period from 02.3.1995 W.A. No. 3528 of 2004 to 08.11.2001 as duty and to treat the period from 09.11.2001 to till date as compulsory wait.

15. 35442 of 2004 To give a direction so that the (Directly filed petitioner be sent to District in High Court) Medical Board Cuddalore for medical opinion with regard to skull fracture and writer's cramp and to give appropriate posting order as already ordered by the Tribunal in O.A. NO. 3198 of 1997 dated 10.10.1999 and consequently regularise the period from 07.6.2004 till the date of medical opinion.

16. 37775 / 2007 To direct the R1 to take steps to (directly filed extend the service of the petitioner in High Court) up to 65 years / 60 years or take steps to dispose of all the pending cases of the petitioner within a reasonable time

7. The petitioner originally filed O.A. No. 7224 of 1997 seeking to quash the charge-memo dated 14.3.1995. The said O.A. was dismissed on

09.02.2001 with liberty granted to the Department to proceed with the enquiry and complete it within nine months. Liberty for the Department was

granted for seeking further extension. Thereafter, in O.A. No. 8077 of 1997, the

proceedings dated 18.12.1986 was quashed by order dated 28.4.2000.

8. The alleged success in these two Original Applications made the petitioner to go on filing application after application before the Tribunal with one prayer or the other. In some of the Original Applications, the same prayer was reiterated with slight modifications. Pursuant to the order dated 28.4.2000, the suspension was revoked. Notwithstanding the same, he filed another O.A. 1894 of 2000 seeking for serving of the authenticated order of revocation of suspension order. The Tribunal by order dated 28.4.2000, granted direction to give a copy within two weeks. He filed Contempt Application No. 253 of 2000 alleging that he was not given the copy of the said order which disabled him from joining at the new place.

The Tribunal directed a copy of the order dated 05.5.2000 to be served in the open Court and the same was recorded by the Tribunal on 11.8.2000. Even thereafter as the petitioner had not joined duty, a new charge-memo was given to him.

9. By O.A. No. 3374 of 1997, the petitioner sought for a direction to consider his representation for promotion to the post of Deputy Inspector of Schools. By order dated 09.7.1997, a direction was also issued to consider his case. He also filed O.A. No. 8384 of 1998 to take action for non-payment of the allowance. As per the orders of the Court dated 23.10.1998, it was directed to be paid. The said order was complied with by the Department on 24.4.1999. Therefore, his further Contempt Application 217 of 1999 was dismissed on 04.02.2000.

10. On 03.10.2001, all his applications were listed before the Tribunal for disposal. Since the petitioner did not appear, the Tribunal dismissed all applications for default. In the order dated 03.10.2001, it was recorded as follows:

The above batch of cases have been coming up for several occasions as "part heard". The applicant has been asking adjournments every time, Indulgence has been shown to him since he is appearing in person. But, yet the applicant is not ready to argue the cases and to have a disposal of the same.

2. On 3.9.2001, he appeared in person and expressed some difficulty in arguing the cases. Hence, four weeks" time was granted at his request

and the cases were adjourned to 3.10.2001, i.e today at 2.15 P.M.

3. When the matter was called at 2.45 P.M., today, the applicant was absent. There is also no representation on his behalf. In the circumstances, the applications are dismissed for default.

11. The petitioner filed M.A. No. 1216 of 2002 to restore all the dismissed Original Applications. But no orders were passed by the Tribunal and after abolition of the Tribunal, it got transferred to this Court and was re-numbered as W.P.M.P. No. 14794 of 2005 and no orders were passed in the said petition till date.

12. Subsequently, when the matters were listed, the learned Additional Government Pleader brought to the notice of this Court the judgment of the Division Bench of this Court, presided by P. Sathasivam, J. (as he then was), dated 16.3.2007 in W.A. No. 3528 of 2004 relating to the issue

between the same parties. It transpires that the petitioner filed W.P. No. 26068 of 2004 seeking for a direction to the first respondent State to

instruct the second respondent District Elementary Educational Officer, Villupuram to despatch the Service Register to the third respondent Head

Master of the Government High School to refix his pay in accordance with the revised scale of pay w.e.f. 01.01.1996 in respect of VI Pay

Commission Scale.

13. The said writ petition was allowed with a direction that the petitioner can get subsistence allowance even for the period after revocation of his

suspension. This order was set aside on a writ appeal filed by the State on 16.3.2007. A portion of paragraph 9 and paragraphs 10 to 12 of the

judgment in the said Writ Appeal are reproduced below:

Para 9: ...Hence it is clear that the petitioner, who appeared as party in person before the Tamil Nadu State Administrative Tribunal was also

aware of the revocation of the suspension which was recorded and the application filed by him challenging the order of suspension was disposed of as infructuous.

Para 10: From the order of the Joint Director of School Education (Personnel) dated 18.3.1997 it is clear that the petitioner's request for

transferring him to administrative post cannot be complied with and he was directed to join as School Assistant in the Government Higher

Secondary School, Kallakurichi, on or before 1.4.1997. The petitioner filed O.A. No. 3473 of 1997 before the Tamil Nadu State Administrative

Tribunal and prayed for direction to the respondents to treat the two spells of period from 2.3.1995 to 14.9.1995 and from 15.9.1995 onwards as

duty period as full service and attendant benefits and also reinstate him as Assistant Educational Officer, Vikravandi. The said application was

disposed of by the Tribunal on 9.5.1997 and the operative portion of the order passed by the Tribunal is extracted hereunder:

6. As far as the contention that without revoking the suspension order, the 2nd respondent has issued posting, it has to be mentioned that now the

suspension order has been revoked and the copy of the revocation was also served on the applicant and recording the same, this Tribunal

dismissed the O.A. 4305/95 as it has become infructuous.

7. In the result, this application is ordered as follows;

As-far-as the first spell i.e., 2.3.95 to 14.9.95 is concerned orders have already been passed. With regard to 2nd spell, i.e. from 15.9.95 till date,

no direction is given, because a direction which does not indicate definite date cannot be issued. Regarding the 3rd prayer, the respondents may

consider the request of the applicant for posting as Assistant Educational Officer, pursuant to the order of this Tribunal, dated 1.4.93 in TA.

260/91 and OA. No. 1654/93. The applicant is at liberty to move this Tribunal, if there is any need, in this regard.

Petitioner's request for posting him as Assistant Educational Officer was also rejected and in spite of the same petitioner having not joined as

School Assistant repeated posting orders are given and ultimately petitioner reported to duty only on 14.5.2004 A.N.

Para 11: From the records and the affidavit filed by the respondents and the orders passed by the State Administrative Tribunal, we are of the

view that the petitioner was kept under suspension only from 2.3.1995 to 15.9.1995 and he is entitled to get subsistence allowance only for the

above period. Non-joining of the petitioner inspite of the issuance of posting order after revocation of the suspension order is the fault of the

petitioner, for which the department cannot be blamed. The petitioner even after receipt of revocation of suspension order with the posting order

refused to join in the new place of posting and requested to post him in the

administrative wing viz., as Assistant Educational Officer and the said request was also rejected by the department by citing the Government Orders. Hence there is no justification on the part of the petitioner to claim salary from the department after 30.9.1995. Petitioner can be treated to be on compulsory wait after revoking the suspension order only upto 30.9.1995 ie., from 19.9.1995 to 30.9.1995. Since the petitioner has joined duty only on 14.5.2004 the period from 1.10.1995 to 14.5.2004 is to be regulated only according to the service rules and for the said period petitioner is not entitled to get either salary or subsistence allowance. We are of the view that the order of the learned single Judge was passed without keeping all the facts which were not placed by the respondents.

Para 12: It is well settled in law that subsistence allowance is payable only during the period in which the person was kept under suspension. After revocation of suspension and till the date of posting, one can be treated to be on compulsory wait, for which period the person entitled to get full salary. Hence we are unable to accept the findings given by the learned single Judge that the petitioner is entitled to get subsistence allowance after the revocation of suspension order i.e., after 15.9.1995 and we are of the view that the petitioner is entitled to get subsistence allowance only for the period from 2.3.1995 to 15.9.1995 and full salary from 15.9.1995 to 30.9.1995. Petitioner is not entitled to get either salary or subsistence allowance from 1.10.1995 till the date of joining on 14.5.2004. The subsistence allowance is already paid. Salary for the above period as referred to is not paid till date the appellants are directed to pay the same within a period of four weeks from the date of receipt of a copy of this order and similarly if the petitioner is not paid salary from 14.5.2004 onwards, appellants are bound to pay salary after considering the leaves taken by the petitioner as to whether the petitioner is eligible to get sanction of the said leaves with or without pay. The appellants are directed to comply with the above directions and pass necessary orders within a period of four weeks from the date of receipt of a copy of this order.

14. Subsequently, the petitioner filed a Review Application being R.A. No. 94 of 2007 seeking review of the aforesaid order. The said matter came to be posted before the Division Bench presided by S.J. Mukhopadhaya, J. The Division Bench, by an order dated 12.9.2007, dismissed

the aforesaid Review Application by observing in paragraph 2, which is as follows:

The present review application has been preferred against the aforesaid Division Bench Judgment dated 16th March 2007 in W.A. No. 3528 of

2004. In spite of repeated callings nobody appeared for the petitioner. We have perused the records and findings; there is no error on record to

review the matter. Accordingly, this review application stands dismissed. No costs.

15. From the above narration of facts, it is clear that the petitioner was conducting almost a raid on this Court as well as on the Tribunal by filing

case after case without any justification. Even though before this Court he had lost the writ petition, he sought for a direction in W.P. No. 37775 of

2007 to dispose of all his petitions pending within a time frame but in W.P. No. 18727 of 2001, he sought for a direction to the Tribunal not to

hear all his 14 final hearing and part heard cases which were posted on 13.8.2001 except after clearing the Subsistence Allowance arrears to be

paid to him at the rate of 75% of the pay for the period from 15.9.1995 till date (ie., 24.7.2001) as ordered by the Tribunal in O.A. No. 4096 of

2001. This kind of shifting stand of the petitioner was totally without any justification and he cannot treat the Court of law as a play-field.

16. As seen from the order of the Tribunal dated 03.10.2001 (referred to above), on 03.9.2001, he sought for four weeks' adjournment and all

his cases were directed to be posted on 03.10.2001. When the matter was actually called on 03.10.2001, he did not appear without any

justification which necessitated the Tribunal, to dismiss all his Original Applications listed on that day. He filed only one Miscellaneous Application

in M.A. No. 1216 of 2002 to restore all the Original Applications along with a Contempt Petition. That M.A. was numbered only arising out of

O.A. No. 680 of 1997. Even in the affidavit filed in support of the said application, the petitioner did not give any justifiable reason for being

absent from appearing on more than one occasion. He merely stated that principles of natural justice requires a hearing to be given to him. Even on

that Miscellaneous Application, no orders were passed by the Tribunal. Consequently, when it was transferred to this Court, it was re-numbered

as W.P.M.P. No. 14794 of 2005.

17. We do not find any justification given in the said application so as to restore the Original Applications filed by him which he allowed to be

dismissed for default. The conduct of the petitioner before the Tribunal and before this Court clearly shows that he has become a Court bird and

his only pass time was to go on filing case after case and appear as a party in person. Even after revocation of the suspension as early as

13.9.1995, the petitioner was not inclined to join duty despite several reminders. It was only after nine years on 14.5.2004, he joined in a

Government High School at Mitta Mandagapattu. During the aforesaid period of nine years, he never rendered any service in the Education

Department and made himself a nuisance of filing case after case before this Court and before the Tribunal to get more or less similar reliefs. The

Division Bench of this Court in W.A. No. 3528 of 2004 dated 16.3.2007 and confirmed by R.A. No. 94 of 2007 dated 12.9.2007 has

categorically held that the petitioner was not eligible for any salary for the period 01.10.1995 to 14.5.2004. This finding of the Division Bench will

clearly dispose of most of the writ petitions in which he seeks for salary for the aforesaid period together with interest and also for consequent pay

revision.

18. The other Original Applications transferred as writ petitions claiming for posting as P.G. Assistant and Deputy Inspector of Schools can also

never be considered in favour of the petitioner as there were no Service Rules providing for such a posting since posting as an AEEO is available

only in the schools run under local bodies. The petitioner is also not eligible to get promotion when he never rendered any service for nine years ie.,

from 1995 to 2004.

19. Considering in this backdrop, W.P.M.P. No. 14794 of 2005 is bereft of any reason and accordingly, we dismiss the same. In view of the

dismissal of the W.P.M.P. No. 14794 of 2005, the order of the Tribunal dated 03.10.2001 will stand confirmed and consequently, the following

Original Applications (re-numbered Writ Petitions) will stand dismissed.

(i) (O.A. No. 5491 of 1997) = W.P. No. 3015 of 2006

(ii) (O.A. No. 680 of 1997) = W.P. No. 3013 of 2006

(iii) (O.A. No. 3373 of 1997) = W.P. No. 3014 of 2006

(iv) (O.A. No. 5616 of 1997) = W.P. No. 3016 of 2006

(v) (O.A. No. 8781 of 1997) = W.P. No. 3017 of 2006

- (vi) (O.A. No. 10041 of 1998) = W.P. No. 3018 of 2006
- (vii) (O.A. No. 10130 of 1998) = W.P. No. 3019 of 2006
- (viii) (O.A. No. 10613 of 1998) = W.P. No. 3020 of 2006
- (ix) (O.A. No. 260 of 1999) = W.P. No. 3021 of 2006
- (x) (O.A. No. 1894 of 2000) = W.P. No. 3022 of 2006
- (xi) (O.A. No. 5352 of 2000) = W.P. No. 3024 of 2006
- (xii) (O.A. No. 3130 of 2001) = W.P. No. 3023 of 2006

20. The petitioner is also facing charge-memos dated 13.5.1997, 31.12.2004 and 08.4.2005 under Rule 17(b) of the Tamil Nadu Civil Services

(Discipline and Appeal) Rules. An Enquiry Officer, viz., the Chief Educational Officer, Villupuram, was also appointed to enquire in to the charges

levelled against him and an enquiry notice was also sent to him. The petitioner had not participated under the specious plea that various

Applications are pending before the Tribunal and before this Court.

21. By this long drawn out exercise continued for over 12 years, the petitioner had reached the age of superannuation on 31.12.2007. On a

proposal being sent by the Chief Educational Officer, Villupuram and the Headmaster, High School, Mitta Mandagapattu, the petitioner was

permitted to retire without prejudice to the disciplinary proceedings pending against him. It is for the petitioner to participate in the said enquiry and

establish his innocence in order to avoid any punishment being imposed on him. In many of the Original Applications and the writ petitions, the

petitioner never disclosed the previous orders made by the Tribunal and such a conduct on the part of the petitioner is highly reprehensible and

deserves a deterrent action. Even before the Tribunal in all the O.As. against Column No. 8, he had brazenly stated that no previous O.As. are

pending before any Court or Tribunal. This is nothing but committing perjury.

22. The Supreme Court in the judgment reported in Advocate-general, State of Bihar Vs. Madhya Pradesh Khair Industries and Another, held

that repeated filing of writ petitions amounts to a criminal contempt and liable to be punished under the Contempt of Courts Act, 1971.

23. Recently, the Supreme Court referred to the aforesaid case in Udyami Evam Khadi Gramodyog Welfare Sanstha and Another Vs. State of

U.P. and Others, . In paragraph 16, speaking for the Bench, S.B. Sinha, J. had

observed as follows:

Para 16: A writ remedy is an equitable one. A person approaching a superior court must come with a pair of clean hands. It not only should not suppress any material fact, but also should not take recourse to the legal proceedings over and over again which amounts to abuse of the process of law.

24. Further, the conduct of the petitioner in that case was spelt out in paragraph 10 of the said judgment, which is as follows:

Para 10: "Although the prayer made in the four writ applications are apparently different, having gone through the writ applications, it became evident that the core issue in each of the matter centres round recovery of the amount advanced to the appellants by the bank. Evidently, orders passed at different stages of the proceedings as also new proceedings based upon fresh calculation of interest on the principal sum had been in question from time to time. As indicated hereinbefore, even a public interest litigation was filed wherein also Appellant 2 was a party. Maybe that validity of Section 35-A of the U.P. Khadi and Village Industries Board Act, 1960 was one of the issues raised therein but even the recovery proceeding was the subject-matter thereof.

Such conduct of a litigant was considered as an abuse of process of law by the learned Judges of the Supreme Court.

25. In the light of the above, all the writ petitions filed by the petitioner will stand dismissed and the petitioner is entitled to get the relief only to the extent as determined by the Division Bench in W.A. No. 3528 of 2004 vide order dated 16.3.2007.

26. Since the issue in W.P. No. 29158 of 2002 filed by the State is also covered by the very same decision, we do not propose to pass any special order in that writ petition and parties are covered by the earlier Division Bench's order. As the petitioner was permitted to retire without prejudice to the disciplinary proceedings pending against him, it is for the petitioner to participate in the said enquiry without dragging the matter any further and he must extend full co-operation.

27. In view of the conduct of the petitioner as narrated above, we are constrained to direct the Registry not to number any of the future petitions filed by the petitioner without the leave of the Court. This direction is given with

a view to save the Court's time since considerable time had been wasted by the petitioner in filing repeated writ petitions.

28. Though we would have imposed a heavy cost on the petitioner, in the circumstances of the case, we are constrained to order only Rs. 5000/-

as costs to be paid by the petitioner to the Tamil Nadu State Legal Aid Services Authority within a period of eight weeks from the date of receipt

of a copy of this order.

29. In so far as W.P. No. 35442 of 2004 is concerned, it is beyond the purview of this Court to order any such medical examination of the

petitioner. In so far as W.P. No. 37775 of 2007 is concerned, it must be stated that it is beyond the scope of the writ jurisdiction. Further, in view

of the subsequent retirement of the petitioner, that writ petition has also become infructuous. In respect of W.P. No. 18727 of 2001 is concerned,

that is also dismissed as the issue raised therein is covered by the Division Bench order dated 16.3.2007 in W.A. No. 3528 of 2004

30. All the writ petitions are dismissed and the connected Miscellaneous Petitions are closed with cost to the extent indicated above in paragraph

28.