

(2008) 08 MAD CK 0049

In the Madras High Court

Case No : Writ Petition No. 1087 of 2001

R. Ravichandran

APPELLANT

Vs

Tamil Nadu Magnesium and Marine Chemicals Ltd.

RESPONDENT

Date of Decision : 19-08-2008

Acts Referred:

Constitution of India, 1950 — Article 226

Citation : (2008) 08 MAD CK 0049

Hon'ble Judges : M. Jaichandren, J

Bench : Single Bench

Advocate : C.K. Chandrasekaran, for the Appellant; M. Vijayan, for King and Patridge, for the Respondent

Judgement

M. Jaichandren, J.—Heard the learned Counsel appearing for the petitioner and the learned Counsel appearing for the respondent.

2. The petitioner has filed the above writ petition for quashing the Order No. TMML/PO/1109/89, dated 22.12.2000, passed by the respondent,

reverting the petitioner from the post of Junior Chemist, in which he was initially appointed, to that of Junior Technician (Lab). The petitioner had

been appointed as Junior Chemist, on 19.1.90 and he was confirmed in the said post by an order, dated 29.4.92. On 15.2.2000, a Show Cause-

cum-Suspension Order was issued to the petitioner on the ground that he had violated the leave Rules by remaining absent from 17.12.99, without

prior permission and without submitting a proper medical certificate. It was also stated that he had given false information in his leave application

and thus he had violated Clause 44(48) of the Standing Orders of the respondent, amounting to misconduct. Even though the petitioner had

submitted an explanation, on 21.2.2000, stating the reasons for his absence on

15.3.2000, an Enquiry Officer had been appointed and on

6.4.2000, the enquiry was conducted. In spite of the petitioner filing a written statement explaining the facts in detail, along with the supporting

documents, the Enquiry Officer had given his findings on 4.5.2000. Thereafter, no orders were passed and therefore, the petitioner was compelled

to file a writ petition before this Court in W.P. No. 16098 of 2000. By an order, dated 21.9.2000, the writ petition had been disposed of directing

the respondent to pass orders within twelve weeks. After two months a second show cause notice had been issued to the petitioner asking him to

show cause as to why he should not be removed from service. The petitioner had submitted a reply, dated 11.12.2000, stating that he was not

guilty of the charge. However, on 22.12.2000, the respondent had passed the impugned order, reverting the petitioner from the post of Junior

Chemist, in which he was initially appointed, to the post of Junior Technician (Lab), which is a Class-IV post. In such circumstances, the petitioner

had filed the present writ petition, under Article 226 of the Constitution of India, challenging the impugned proceedings of the respondent, dated

22.12.2000.

3. At this stage of the hearing of the writ petition, the learned Counsel appearing on behalf of the petitioner had submitted that the writ petition is

covered by an order, dated 3.3.2008, passed by a Division Bench of this Court in W.A. Nos. 225 and 372 of 2006 and W.A. No. 1970 of

2001. The learned Counsel had further submitted that the reliefs prayed for by the petitioner had been granted and therefore, no further orders are

required to be passed in the present writ petition.

4. The learned Counsel appearing on behalf of the respondent had not refuted the submissions made by the learned Counsel appearing on behalf of

the petitioner.

5. In such circumstances, the above writ petition stands closed, as no further orders are required to be passed in the writ petition. No costs.