

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.07.2015

CORAM:

THE HON'BLE MR.JUSTICE SATISH K. AGNIHOTRI

AND

THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.A.No.780 of 2015
and M.P.No.1 of 2015

1. The Commissioner,
Adi Dravidar Welfare Department,
Chepauk, Chennai - 600 005,
2. The District Adi Dravidar and Tribal Welfare Officer,
Nagapattinam District,
Nagapattinam. Appellants

vs.

M.Revathy Respondent

Writ Appeal filed under Clause 15 of the Letters Patent against the order dated 23.10.2013 made in M.P.No.1 of 2013 in W.P.No.28698 of 2013 on the file of this Court.

Prayer in WP.NO.28698 of 2013: To call for the records relating to the impugned order passed by the 2nd respondent in Na. Ka. No.K2/16990/2011 dt 17.10.2013 and quash the same and consequently direct the respondents to allow the petitioner to continue in the promoted post of B.T. Assistant based on the order of promotion in Na. Ka. No. 16990/2011/K2 dt 27.4.2012 with all consequential and other attendant benefits including payment of arrears of salary with interest.

ii) grant an order of interim stay staying the operation of the impugned order passed by the 2nd respondent in Na.Ka.No.K2/19660/2011, dated 17.10.2013.

For appellants : Mr.S.Gunsekaran, G.A.,

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JUDGMENT

(Judgment of the Court was made by SATISH K. AGNIHOTRI, J.)

Assailing the interim order dated 23.10.2013 passed by the learned single Judge in M.P.No.1 of 2013 in W.P.No.28698 of 2013, the State is before us.

2. Heard the learned counsel appearing for the appellants and perused the materials placed before us.

3. The learned Single Judge, while considering the writ petition filed by the respondent herein seeking quashing of the proceedings dated 17.10.2013 passed by the 2nd appellant herein, granted interim stay on 23.10.2013. The matter was thereafter directed to be listed on 3.12.2013. What had happened thereafter is not clear. However, it is pointed out that as the interim stay was not complied with by the appellants, Contempt Petition No.2930 of 2013 was moved by the respondent herein and the same is also pending consideration. The appellants had also moved an application for vacating the interim stay granted on 23.10.2013.

4. In view of foregoing, when an application for vacate stay is pending consideration before the learned single Judge in W.P.No.28698 of 2013, we are not inclined to entertain this appeal at this stage. Therefore, without expressing any opinion on the merits of the case, this writ appeal is dismissed by giving liberty to the appellants to expedite the hearing of vacate stay application, if so advised. No costs. Consequently, the connected miscellaneous petition is also dismissed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

1. The Commissioner,
Adi Dravidar Welfare Department,
Chepauk, Chennai - 600 005,
2. The District Adi Dravidar and Tribal Welfare Officer,
Nagapattinam District,
Nagapattinam.

W.A.No.780 of 2015

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