

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.8.2015

CORAM:

THE HON'BLE MR.JUSTICE S.MANIKUMAR
and
THE HON'BLE MR.JUSTICE M.VENUGOPAL

W.P. No.7044 of 2015
and
M.P.No.1 of 2015

1.C.Rajendran
2.J.Vijayakumar
3.R.Murali
4.Arun Kumar Bharia
5.R.Udayakumar
6.D.Balaji
7.G.Nagalakshmi
8.C.Sundarabashyam
9.G.Ponnaiah
10.S.Kathiresan
11.Ajay Kumar Kunwar
12.M.Adhinarayana
13.R.Manivannan
14.S.Vanaja
15.P.Govindan Kutty
16.V.S.Harikrishnan
17.C.Vincent

...Petitioners

vs.

1. Union of India,
rep.by its Secretary,
Ministry of Urban Development,
Nirman Bhavan, Govt.of India,
New Delhi.
2. The Director General,
Central Public Works Department,
Ministry of Urban Development,
Nirmal Bhavan, Govt.of India,
New Delhi.

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3. The Special Deputy Director General, SR,
Central Publics Works Department,
Rajaji Bhavan, Besant Nagar,
Chennai-600 090

4. The Additional Director General (Trg)
C.P.W.D.Training Institute,
Kamala Nehru Nagar, Hapur Road,
Ghaziabad, Uttar Pradesh

5. The Secretary,
Department of Personnel and Training,
Government of India, New Delhi.

6. The Registrar,
The Central Administrative Tribunal,
Madras Bench, Chennai.

...Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of certiorarified mandamus to call for the records relating to the order of the 6th respondent made in O.A.No.310/01112/2014 dated 11.02.2015 and to quash the same and further to direct the respondents to declare the assessed year wise vacancies after regularizing the ad hoc promotes and to determine the zone of consideration for respective periods preceding the slated Limited Departmental Competitive Examination.

For Petitioners : Mr.L.Chandrakumar

For Respondents : Mr.Venkataswamy Babu,
SPC, Govt. of India, for R1 to R5

ORDER

(Order of the Court was made by S.MANIKUMAR,J.)

The petitioners herein have filed an application, in O.A.No.310/01112/2014, before the Central Administrative Tribunal, Madras Bench, seeking the following relief:

"to call for the records relating to the impugned notice F.No.SE(T)-I/LDCE/2014, dated 01.07.2014, and to direct the respondents to regularise the applicants. "

2. After adjudication, vide order dated 11.02.2015, in O.A.No.310/01112 of 2014, the Central Administrative Tribunal, dismissed the application.

3. Being aggrieved by the said order, this present writ petition has been filed seeking for a writ of certiorarified mandamus to call for the records relating to the order of the 6th respondent, made in O.A.No.310/01112/2014, and to quash the same and further direct the respondents to declare the assessed year-wise vacancies, after regularizing the ad hoc promotes and to determine the zone of consideration for respective periods preceding the slated Limited Departmental Competitive Examination.

4. The Executive Engineer of the Central Public Works Department has filed a counter affidavit, dated 30.3.2015, wherein at paragraph No.34, he has stated as follows:

"34. It is submitted in regard to para 14 that since LDCE-2014 has not been conducted so far, the notice dated 01.07.2014 is no longer valid and cannot be acted upon."

5. In the light of the above, Mr.L.Chandrakumar, learned counsel for the petitioners submitted that since the respondents themselves have come forward with a statement that the notice, dated 01.07.2014, is no longer valid, and cannot be acted upon, the writ petition can be closed. Submission of the learned counsel for the petitioners is placed on record.

6. The learned counsel for the respondents also submitted that a fresh Notification would be issued. Said submission is also placed on record.

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7. Recording the above said submissions of the learned counsel for both parties, without advertng to the merits, the writ petition is disposed of. No costs. Connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,
Ministry of Urban Development,
Nirman Bhavan,
Govt.of India,
New Delhi.
2. The Director General,
Central Public Works Department,
Ministry of Urban Development,
Nirmal Bhavan,
Govt.of India,
New Delhi.
3. The Special Deputy Director General, SR,
Central Publics Works Department,
Rajaji Bhavan,
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4. The Additional Director General (Trg)
C.P.W.D.Training Institute,
Kamala Nehru Nagar,
Hapur Road,
Ghaziabad, Uttar Pradesh

5. The Secretary,
Department of Personnel and Training,
Government of India,
New Delhi.

1 CC to Mr.L.Chandrakumar, Advocate SR.No. 43802

1 CC to Mr.Venkataswamy Babu, Advocate SR.No. 43616

W.P.No.7044 of 2015

KGK (CO)
PSI (09.09.2015)



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