

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.01.2015

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.Nos.3388 & 3389 of 2007

K.Soundararajan .. Petitioner in W.P.No.3388 of 2007
A.Thiyagarajan .. Petitioner in W.P.No.3389 of 2007

-vs-

1. Government of Tamil Nadu
rep.by Agricultural Production
Commissioner and Secretary
to Government
Agriculture Department
Fort St.George
Chennai 600 009
2. The Director of Agriculture
Chennai 600 005
3. The Additional Director of
Agriculture (Personnel & Planning)
Directorate of Agriculture
Chennai 600 005
4. The Commissioner of Horticulture
and Plantation Crops
Chennai 600 005 .. Respondents in both the writ petitions

Petitions under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records of the third respondent relating to Pro.No.Ve.A.Ni.1/154527/2006 dated 9.1.2007 and quash the same in so far as it relate to the petitioners herein and to issue consequential directions to the respondents to retain the petitioners in the Agriculture Department and to allow them to continue to serve in the Agriculture Department.

For Petitioners

:: Mr.M.Ravi

For Respondents

:: Mr.N.Srinivasan
Additional Government Pleader

ORDER

When these writ petitions seeking to quash the impugned transfer order dated 9.1.2007 with a consequential direction to the respondents to retain and allow the petitioners to serve in the Agriculture Department were taken up, Mr.N.Srinivasan, learned Additional Government Pleader appearing for the respondents, taking a stand from the counter affidavits filed to the writ petitions, submitted that the prayer made in the writ petitions has become infructuous, since the petitioners were not relieved subsequent to the impugned order of transfer and they were allowed to continue in the same department.

2. It is appropriate to extract the relevant portion in paragraph-8 of the counter affidavit filed in W.P.No.3388 of 2007, being adopted in the other writ petition also, as under:-

'8.(vii) Ground (i): Though the petitioner has been allotted to Horticulture Department vide proc.No.AOE1/ 154527/06 dated 9.1.2007 as per the directions by the Government the petitioner has not received any posting order from the Horticulture Department and not yet been relieved till date. Since the petitioner who has been allotted to the Horticulture Department, has not yet been relieved and working in the Agriculture Department itself till date, there is no need for further willingness to work in Horticulture Department in the same cadre of Agricultural Officer. Option once given by the petitioner is final. It is prayed that the petition of the petitioner may be dismissed and the petitioner may be transferred to Horticulture Department.'

3. In view of the above, both the writ petitions shall stand dismissed, as nothing survives for adjudication. Consequently, M.P.Nos.1 of 2007 & 1 of 2008 are also dismissed. No costs.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

ss

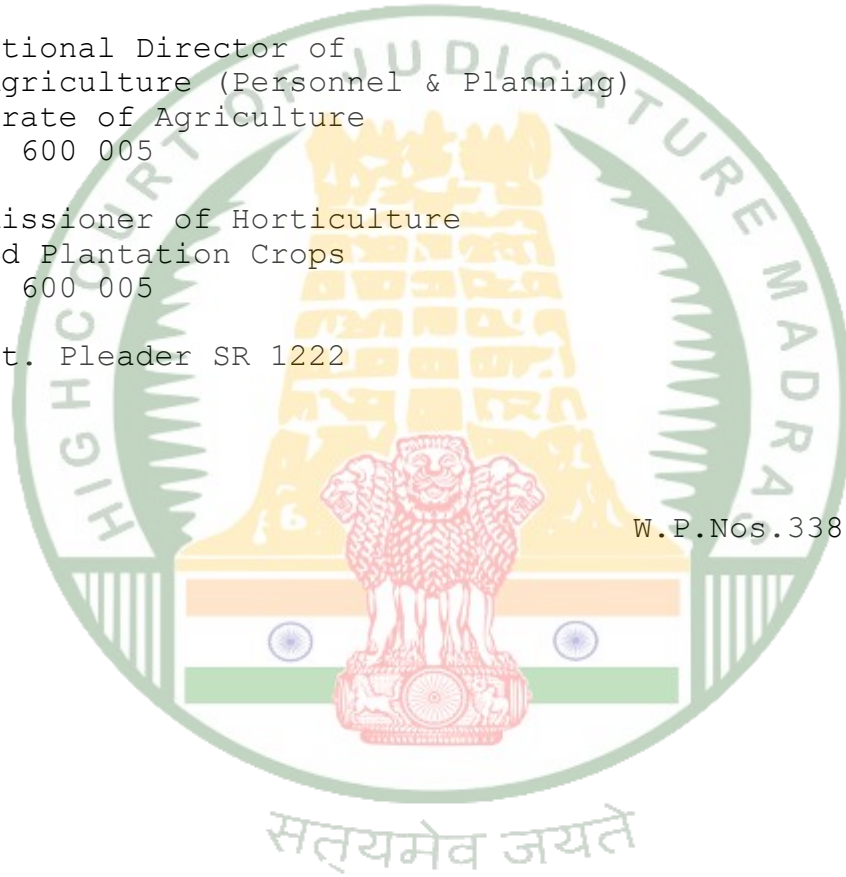
To

1. The Agricultural Production
Commissioner and Secretary
to Government
Agriculture Department
Fort St.George
Chennai 600 009
2. The Director of Agriculture
Chennai 600 005
3. The Additional Director of
Agriculture (Personnel & Planning)
Directorate of Agriculture
Chennai 600 005
4. The Commissioner of Horticulture
and Plantation Crops
Chennai 600 005

+1cc to Govt. Pleader SR 1222

PPA (CO)
km/29.1.

W.P.Nos.3388 & 3389 of 2007



WEB COPY