

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:03.06.2016

CORAM

THE HON'BLE MR.JUSTICE B.RAJENDRAN

W.P.No.4402 of 2016

S.Neelaveni Devi

.. Petitioner

vs

The Transport Commissioner
Chepauk, Chennai-5.

.. Respondent

Writ petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of mandamus to direct the respondent to promote the petitioner as Superintendent with effect from the date of promotion of immediate junior without reference to and without taking into consideration the pendency of the charge in TDP case No.15/2012 Roc.No.531/2012/A2 dated 05.09.2012 with all consequential service and monetary benefits.

For Petitioner : Mr.Ravi Shanmugam

For Respondent : Mr.K.Rajendra Prasad
Government Advocate

ORDER

The prayer in the writ petition is for the issuance of writ of mandamus to direct the respondent to promote the petitioner as Superintendent with effect from the date of promotion of his immediate junior without reference to and without taking into consideration the pendency of the charge in TDP case No.15/2012 Roc.No.531/2012/A2 dated 05.09.2012 with all consequential service and monetary benefits.

2. Heard both sides.

3. When the matter is taken up for hearing, the learned counsel appearing for the petitioner by producing G.O.(2D) No.140, Home (Tr-II) Department dated 02.03.2016 would submit that the respondent has already dropped the charges framed against the petitioner as "not proved". Therefore, he would submit that nothing survives for adjudication in this writ petition. However, he seeks liberty to challenge the same before the authority concerned.

4. In view of the fact that the very charges framed against the petitioner has been dropped by the Department itself, the prayer sought for in the writ petition has become infructuous. However, it is open to the petitioner, if she is still aggrieved, to approach the appropriate authority in the manner known to law for seeking remedy.

5. With the above observation, this writ petition is closed.
No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/

Sub Asst. Registrar

vj2

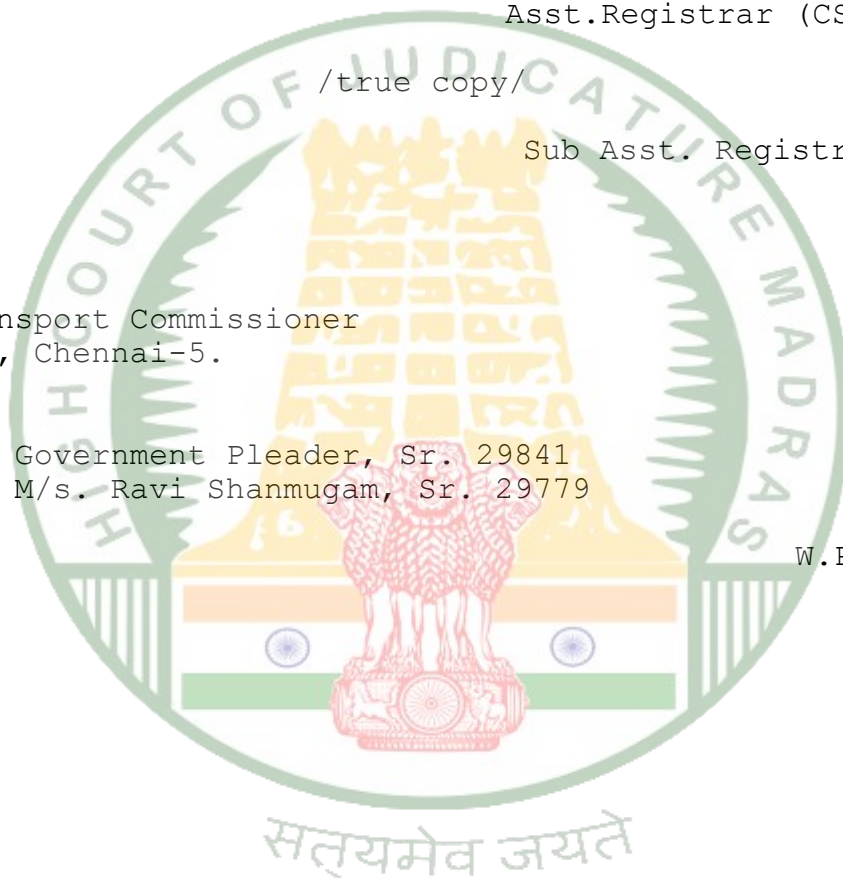
To

The Transport Commissioner
Chepauk, Chennai-5.

1 cc to Government Pleader, Sr. 29841
1 cc to M/s. Ravi Shanmugam, Sr. 29779

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NR (CO)



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