

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2016

CORAM

THE HON'BLE MR. JUSTICE V.PARTHIBAN

W.P.No.35505 of 2002
and WMP.No.52966 of 2002

P.Venkatesan

.. Petitioner

Vs.

1. The Government of Tamil Nadu,
Rep.by its Secretary,
H.R. & C.E. Department,
Fort St.George, Chennai-9.
2. The Commissioner,
H.R.& C.E.Department,
119, Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034.
3. The Deputy Commissioner/
Executive Officer,
Arulmighu Kallalagar Thirukkoil,
Alagarkoil, Melur Taluk,
Madurai District.
- 4.C.Selvaraj
- 5.P.Nallathambi

...Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Manamus calling for the records of the 2nd respondent culminating in the order dated 15.04.2002 made in Mu.Mu.No.77263/2000/Z/1 and quash the same and consequently, direct the second respondent to fill up the post of Public Relation Officer by considering the senior most Assistant under the third respondent temple in terms of the rules and regulations .

For Petitioner	:	Ms.G.Thilakavathy
For R1 & R2	:	Mr.M.Maharaja Spl.Govt.Pleader
For R3	:	Mr.P.Gopalan
For R4	:	M/s.P.Vidhya
For R5	:	Mr.V.P.Rajesh

O R D E R

This writ petition has been filed by the petitioner for the following prayer :

"To call for the records of the 2nd respondent culminating in the order dated 15.04.2002 made in Mu.Mu.No.77263/2000/Z/1 and quash the same and consequently, direct the second respondent to fill up the post of Public Relation Officer by considering the senior most Assistant under the third respondent temple in terms of the rules and regulations."

2. The challenge in the writ petition is with regard to promotion of the fifth respondent to the promoted post, i.e. Public Relation Officer. During the pendency of the writ petition, both the petitioner and the fifth respondent have retired from service.

3. It is reported by the learned counsel for the third respondent that the petitioner was granted promotion as Manager in 2006. Therefore, if at all, the petitioner was entitled to the consequential benefits that would be available from the date on which, 5th respondent was promoted and till the date of the petitioner's promotion in 2006, the same can be subject matter of separate cause of action.

4. Hence, the writ petition is closed by giving liberty to the petitioner to work out his remedy separately, if so advised. No costs. Consequently, connected miscellaneous petition is closed.

s/d-

Assistant Registrar

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Sub-Assistant Registrar

To

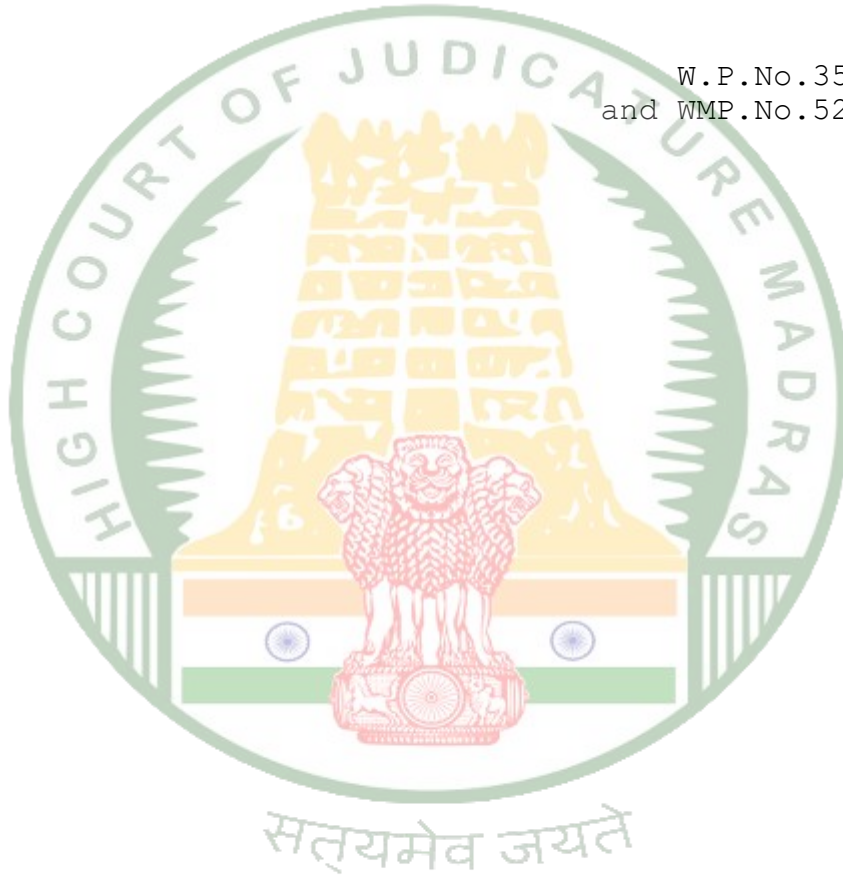
1. The Secretary,
Government of Tamil Nadu,
H.R. & C.E. Department,
Fort St.George, Chennai-9.
- 2.The Commissioner,
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119, Uthamar Gandhi Salai,
Nungambakkam, Chennai 600 034.

3. The Deputy Commissioner/
Executive Officer,
Arulmighu Kallalagar Thirukkoil,
Alagarkoil, Mettur Taluk,
Madurai District.

+1 CC to M/s. G. Thilakavathi, Advocate sr 74541
+1 CC to Mr. P. Gopalan, Advocate sr 75942

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