



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.03.2016

CORAM:

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THE HONOURABLE MR.JUSTICE S.MANIKUMAR
and
THE HONOURABLE MR. JUSTICE C.T.SELVAM

W.A. (MD) No.443 of 2016
and
CMP. (MD) No.3141 of 2016
in
W.P. (MD) No.2932 of 2005

Ramaraj .. Appellant

Vs.

1. Joint Commissioner,
HR&CE Admn. Department,
Tirunelveli.
2. The Deputy Commissioner,
HR&CE Department,
Tirunelveli -2.
3. The Assistant Commissioner,
HR &CE Department,
Tirunelveli.
4. Fit Person
A/m. Sinthamaninathaswamy
Thirukoil, Sivagiri Taluk.
5. S. Kaliappan
6. S. Gurusamy
7. S. Shunmugam
8. A. S. Muppidathi
9. S. P. Narayanan

.. Respondents

PRAYER: The Writ Appeal is filed under Clause 15 of Letters Patent against the order of this Court, dated 10.09.2008 in W.P. (MD) No.2932 of 2005.

Prayer in WP(MD). 2932/ 2005 :

Writ Petition is filed under Article 226 of the Constitution of India, praying for issuance of a writ of Mandamus calling for records relating to the impugned order of the 2nd respondent dated 26.08.1989 made in



O.A.No.9 of 1988, quash the same and direct the first respondent herein to dispose off OA No.8 of 2003 filed by the petitioner herein without reference to the order in OA No.9 of 1988 of the Second respondent.

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For Appellant : Mr.Manikandan
for Mr.AL.Gandhimathi

For R1 to R3 :Mr.VR.Shanmuganathan
Special Government Pleader

For R4 : Mr.V.M.Balamohan Thambi
For R5 to R7 : No Appearance

JUDGMENT

(Judgment of the Court was delivered by C.T.SELVAM, J.)

The present writ appeal has been filed against order, dated 10.09.2008, in W.P.(MD)No.2932 of 2005. In the writ petition, the appellant/petitioner has challenged the order of the second respondent, dated 28.08.1989, made in O.A.No.9 of 1988, which was filed by the respondents 5 to 9 and to direct the first respondent to dispose of O.A.No.8 of 2003 filed by the appellant/petitioner.

2.It is seen that the writ petition has been dismissed as against the respondents 5, 6 and 9 as early as on 04.04.2007, upon failure of the appellant/petitioner to take steps.

3.Learned single Judge besides informing several reasons touching upon various earlier proceedings and enormous delay on the appellant/petitioner in moving this Court also, has observed that no order could be passed in favour of the petitioner, in the absence of necessary parties, as O.A.No.9 of 1988 was filed by R5 to R9, who have not challenged the order therein and that the writ petition against R5, R6 and R9 had already been dismissed for want of steps.

4.In view of the above, we do not find any merit in this writ appeal and hence the same is dismissed. No costs. Consequently, connected Miscellaneous Petition is also dismissed.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar



rj2

To

1. Joint Commissioner,
HR&CE Admn. Department, Tirunelveli.

2. The Deputy Commissioner,
HR&CE Department, Tirunelveli -2.

3. The Assistant Commissioner,
HR &CE Department, Tirunelveli.

4. Fit Person
A/m. Sinthamaninathaswamy
Thirukoil, Sivagiri Taluk.

GJM/GSV/MP/10.5.16-3p-5C

W.A. (MD) No. 443 of 2016
and
CMP. (MD) No. 3141 of 2016
in
W.P. (MD) No. 2932 of 2005
22.03.2016