

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.21322 of 2010

V.Mariappan
S/o. Vediappan,
Junior Inspector of Sericulture,
O/o. The Assistant Director of Sericulture,
Krishnagiri.

..... Petitioner

vs

1. The Commissioner of Sericulture,
Foulkes Compound,
Anaimeedu, Salem -1.
2. The Assistant Director of Sericulture,
Parvathanahalli Post,
Pennagaram Taluk,
Dharmapuri District.
3. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Handlooms, Handicraft, Textiles &
Khadi Department,
Secretariat, Chennai - 9

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the third respondent to consider and pass orders on the petitioner's representation dated 20.08.2010 within a very limited time frame regarding regularization of his services in the post of Junior Inspector of Sericulture by taking into account the period of training in the Hosur Government Sericulture Training School for all purposes and reckoning his promotion to the post of Assistant Inspector of Sericulture by placing the trained Operatives over and above the Untrained Operatives in the Sericulture Department in the seniority list for promotion to the post of Assistant Inspector of Sericulture with a direction to the first respondent to defer the promotion to the said post, Pending disposal of the Petitioner's representation.

For Petitioner : Mr.Ali Hussain khan for Mr.M.Ravi

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader

O R D E R

The relief sought for in this writ petition is to direct the third respondent to consider and pass orders on the petitioner's representation dated 20.08.2010 within a very limited time frame regarding regularization of his services in the post of Junior Inspector of Sericulture by taking into account the period of training in the Hosur Government Sericulture Training School for all purpose and reckoning his promotion to the post of Assistant Inspector of Sericulture by placing the trained Operatives over and above the Untrained Operatives in the Sericulture Department in the seniority list for promotion to the post of Assistant Inspector of Sericulture with a direction to the first respondent to defer the promotion to the said post.

2. The learned counsel appearing for the writ petitioner states that the representation of the writ petitioner in respect of the grievances submitted on 20.08.2010 has not been decided by the respondents, thus, a direction is to be issued to the respondents.

3. The learned Additional Government Pleader appearing on behalf of the respondents states that the respondents filed a counter affidavit stating that the Director of Sericulture had considered the petitioner's representation dated 20.08.2010 and rejected the same on 05.01.2011 vide R.C.No.25806/E2/2010. The order passed by the Director of Sericulture has duly communicated on 04.02.2011. Thus, the writ petition become infructuous and nothing remains to be adjudicated .

4. In view of the counter affidavit, it is made clear that the representation submitted by the writ petitioner was already considered by the Director of Sericulture and an order was passed the same was communicated to the writ petitioner. This being the factum of the case, the relief sought for in this writ petition deserve no further consideration.

5. Accordingly, the writ petition stands dismissed.
However, there is no order as to costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

msrm

To

1. The Commissioner of Sericulture,
Foulkes Compound,
Anaimeedu, Salem -1.
2. The Assistant Director of Sericulture,
Parvathanahalli Post,
Pennagaram Taluk,
Dharmapuri District.
3. The State of Tamil Nadu,
Rep. by its Secretary to Government,
Handlooms, Handicraft, Textiles &
Khadi Department,
Secretariat, Chennai -9

+1cc to Mr.M.Ravi, Advocate, S.R.No.85582
+1cc to the Government Pleader, S.R.No.85857

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DK(CO)
CS/27/12/17

सत्यमेव जयते

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