

IN THE HIGH COURT OF JUDICATURE AT MADRAS**DATED : 15.09.2017****CORAM****THE HONOURABLE MR.JUSTICE M.DHANDAPANI****W.P.No.32175 of 2004**

R.Karthikeyan

... Petitioner

Vs.

1. The State Government of Tamil Nadu,
Represented by its Secretary,
Municipality Administration
and water Supply Department,
Chennai – 600 009.

2. The Commissioner,
Municipal Administration,
Chepauk, Chennai – 600 005.

3. The Secretary,
Health and Family welfare Department,
St. George Fort,
Chennai – 600 009.

4. The Director of Handlooms and Textiles,
Kuralagam, II floor,
Chennai – 600 108.

5. The Managing Director,
Tamil Nadu Textiles Corporation Limited,
Coimbatore – 18.

6. The Commissioner,
Coimbatore Corporation,
Coimbatore.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to pass appropriate orders for absorbing the petitioner under the service of the 6th respondent in pursuance of the recommendations of the 2nd respondent passed in Na.Ka.No.77760/2000 MCA-3 dated 10.07.2002.

For Petitioner : Mr.S.Saravanan
For Respondents : Mr.J.Sathyanarayanan
for R6,
Mr.A.Elumalai
Government Advocate for R1 to R4
Mrs.P.Jeyakaleeswari
for R5

ORDER

This petition has been filed to issue writ of Mandamus directing the first respondent for absorbing the petitioner under the service of the 6th respondent in pursuance of the recommendations of the second respondent dated 10.7.2002 and pass appropriate orders.

2.The brief facts of the case leading to file this writ petition are as follows:

The petitioner was initially appointed as a Lab Assistant on 08.01.1982 in the Tamil Nadu Textiles Corporation Limited. After his completion of 22 years of service, due to various administrative reasons, Voluntary Retirement Scheme was implemented in their Textile Corporation in June 2000. The petitioner has given a representation on 16.05.2000 to the fifth respondent for redeployment of his service in other Government concern where there exists vacancies. On receipt of the representation, the same was forwarded and recommended by the fourth respondent viz., Director of Handloom and Textile through the Secretary to Government, Handlooms, Handicrafts, Textile and Khadi Department to the Municipal Administration and Water Supply Departments.

3. The fourth respondent has considered the petitioner's representation and the same was forwarded to the sixth respondent viz., the Commissioner of Coimbatore Corporation vide D.D Letter No.19728/00/D-2, dated 12.06.2000 for considering the existing vacancies in the Assistants/Inspectors Cadre. The said subject was accepted and approved by the Coimbatore Corporation in Resolution meeting held on 17.09.2001 and also by the Commissioner of Municipal Administration, Chennai vide letter No.77760/00/MCA-3 dated 10.07.2002. But till date, the first respondent did not pass any order even after the recommendation made by the Commissioner of Municipal Administration, Coimbatore. Hence, the petitioner has come forward with the present writ petition.

4. The learned counsel appearing for the sixth respondent would submit that he has filed a counter affidavit and paragraph No.5 reads as follows:

"I submit that this respondent based on the above G.O.Ms.No.472 dated 22.11.2011 and the Coimbatore City Municipal Corporation appointments Committee resolution dated 28.12.2011 issued orders dated 29.12.2011 appointing the petitioner in the pay scale PB-1-Rs.5200-20200 + 2800."

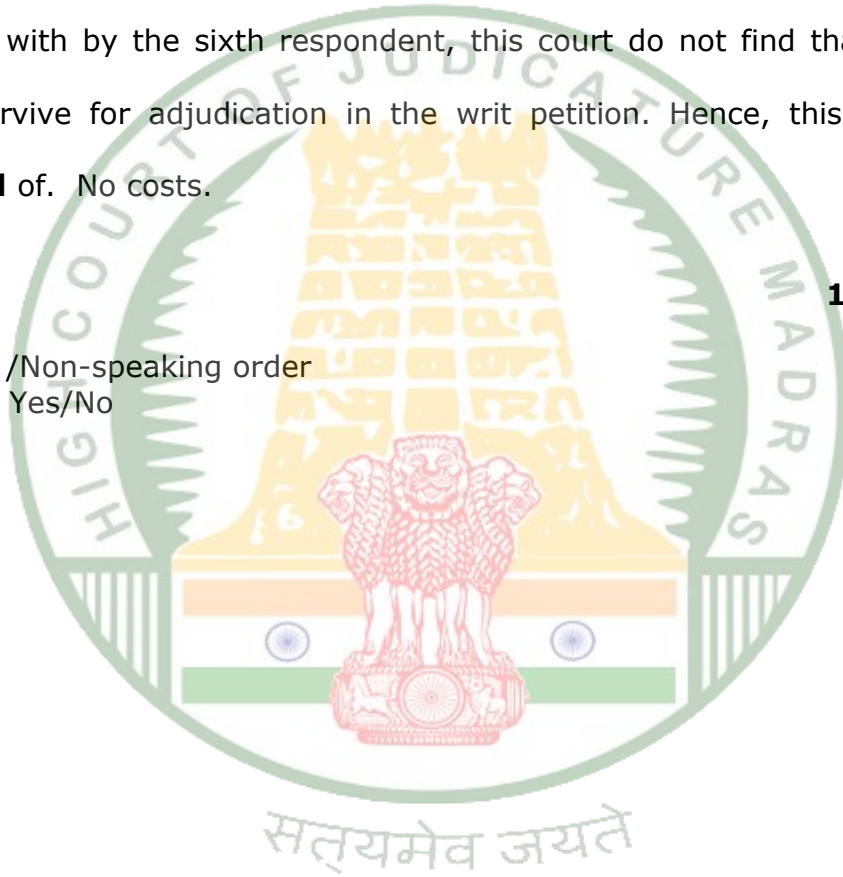
Based on the G.O.Ms.No.472 dated 22.11.2011, the Commissioner of Coimbatore City Municipal Corporation appointing Committee Resolution

dated 28.12.2011 issued orders on 29.12.2011 in favour of the petitioner to appoint him as Computer-cum-clerk in the Pay scale PB-1- Rs.5200-20200+2800 .

Since the prayer sought for by the petitioner has already been complied with by the sixth respondent, this court do not find that anything would survive for adjudication in the writ petition. Hence, this petition is **disposed** of. No costs.

15.09.2017

Speaking /Non-speaking order
Index : Yes/No
gv



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M.DHANDAPANI,J.
gv



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