

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 01.09.2017

CORAM

THE HONOURABLE MR.JUSTICE P.D. AUDIKESAVALU

W.P.No.39332 of 2003

K.Thamotharan

... Petitioner

-vs-

1.The Superintending Engineer,
Sivagangai Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Sivagangai.

2.The Executive Engineer,
(Operation and Maintenance),
Sivagangai Division,
Sivagangai Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Sivagangai District.

3.The Inspector of Labour,
Sivagangai Circle,
Sivagangai.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the third respondent to consider and pass orders on the application preferred by the petitioner under Section 3 of the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981, dated 09.12.2003.

For Petitioner

:Mr.Vairakannan

For Mr.S.Doraisamy

For Respondents

:Mrs.J.Madhu

M/s.T.S.Gopalan & Co. for R1 and R2

Mr.M.Elumalai

Government Advocate for R3

O R D E R

The Writ Petition has been filed seeking directions to consider and pass orders on the application dated 09.12.2003

preferred by the Petitioner under Section 3 of the Tamil Nadu Industrial Establishments (Conferment of Permanent Status to Workmen) Act, 1981.

2. During the hearing on 12.07.2017, the learned counsel for the second respondent has filed a Memo stating that the Petitioner has been made permanent with effect from 05.03.2011 and has also been promoted with effect from 31.12.2004 as a Driver. Further, it has been brought to notice that the Petitioner has also given a communication to the respondent on 07.07.2017 informing the respondent that he does not wish to pursue this Writ Petition. The joining report of the Petitioner dated 05.03.2011 and his letter dated 07.07.2017 have also been attached with the said memo. The learned counsel for the petitioner does not dispute this factual position.

3. Since the relief sought in the Writ Petition has been granted by the respondents, nothing survives for adjudication in this Writ Petition. Accordingly, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

r n s

To

1.The Superintending Engineer,
Sivagangai Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Sivagangai.

2.The Executive Engineer,
(Operation and Maintenance),
Sivagangai Division,
Sivagangai Electricity Distribution Circle,
Tamil Nadu Electricity Board,
Sivagangai District.

3.The Inspector of Labour,
Sivagangai Circle,
Sivagangai.

+1cc to Mr.T.S.Gopalan & Co, Advocate, S.R.No.63156

W.P.No.39332 of 2003

GN(06/10/2017)