

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 26.10.2017

CORAM:

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THE HONOURABLE MR. JUSTICE R. MAHADEVAN**W.P (MD) No. 11029 of 2015**

Bharat Niketan Engineering College,
Thimmarasa Naickanoor,
Andipatti,
Theni District.
Rep. by its Chairman
R.V.Prasanna Venketesan

... Petitioner

Vs.

1. The Principal Secretary,
Ministry of Labour and Employment Department,
Government of Tamil Nadu,
Fort St. George,
Chennai - 9.
2. The Director and the Chief Inspector of Factories,
Directorate of Industrial Safety and Health
Ministry of Labour and Employment Department,
Government of Tamil Nadu,
69/35, Indian Officers Association Building,
Thiru. Vee. Ka. High Road,
Royapettai,
Chennai - 600 014.
3. All India Council for Technical Education,
7th Floor,
Chandarlok Building,
Janpath,
New Delhi.
4. Anna University,
Sarathar Patel Road,
Guindy,
Chennai - 600 025.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the first respondent to consider the representation of the petitioner dated 07.01.2014 and consequently clarify the order made in G.O. (MS) No. 51 dated 03.04.2012 as per the documents submitted along with the application dated 30.08.2008.



For Petitioner
For R.1 to R.3
For R.4

... Mr.C.Muthusaravanan
... Mr.M.Alagathevan,
Special Government Pleader
... Mr.M.Rajarajan

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ORDER

This writ petition has been filed, seeking a direction to the first respondent to consider the representation of the petitioner dated 07.01.2014 and consequently clarify the order made in G.O.(MS) No. 51 dated 03.04.2012 as per the documents submitted along with the application dated 30.08.2008.

2. When the matter is taken up for hearing, the learned Special Government Pleader appearing for the respondents 1 to 3 has submitted that the prayer in this writ petition has already been met with, for which, he has relied on the counter affidavit, at paragraph No.3, wherein, it has been clarified with regard to the effect of G.O.(Ms) No.51, dated 03.04.2012. Paragraph No.3, reads as follows:

"It is respectfully submitted that the first respondent in Letter No.27971/M2/2013-4, dated 29.10.2014 has clarified that irrespective of the date of issue of the Government Order, the date on which one acquires the degree, whether such date is prior to the date of Government order or after shall be considered eligible for appointment to the post of Safety Officer. Hence, in view of the clarification issued by the first respondent the prayer sought by the petitioner has been accomplished and as such the writ petition has become infructuous."

3. In view of the above and recording the submission of the learned Special Government Pleader as well as the first respondent's Letter No.27971/M2/2013-4, dated 29.10.2014, this writ petition is closed, as nothing survives for further adjudication in this matter. No costs.

Sd/-

Assistant Registrar

/True Copy/

Sub Assistant Registrar

To:

1. The Principal Secretary,
Ministry of Labour and Employment Department,
Government of Tamil Nadu,
Fort St. George, Chennai - 9.



2. The Director and the Chief Inspector of Factories,
Directorate of Industrial Safety and Health
Ministry of Labour and Employment Department,
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Chennai - 600 025.

+1cc to Mr.C.Muthusaravanan, Advocate Sr.No.83892
+1cc to Mr.M.Rajaraman, Advocate Sr.No.83954

RM

VB/MR/KKR/SAR4/13/11/2017/3P/7C

W.P (MD) No.11029 of 2015

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