



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.12.2017

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WEB COPY

THE HON'BLE MRS.JUSTICE **V.BHAVANI SUBBAROYAN**

W.P.(MD)No.3541 of 2011

A.Ramkumar

...Petitioner

Vs.

1. The Principal Secretary to Government,
Agriculture Department,
Government of Tamil Nadu,
Government Estate, Anna Salai,
Chennai-02.
2. The Chief Engineer,
Agricultural Engineering Department,
No.487, Anna Salai, Nanthanam, Chennai-35.
3. The Superintending Engineer,
Agricultural Engineering Department,
Madurai.
4. The Assistant Executive Engineer,
Agricultural Engineering Department,
Dindugul, Dindugul District.

...Respondents

PRAYER:- Writ Petition filed under Article 226 of the Constitution of India, to issuance a Writ of Certiorarified Mandamus, calling for the records of the second respondent pertaining to the order issued in Letter No Pension 2/11009/2009, dated 01.07.2010 which was communicated by the fourth respondent vide his proceedings in Letter No.E/2743/2005, dated 15.07.2010 and quash the same and further direct the respondents herein to appoint the petitioner as Assistant Driller in the Agricultural Engineering Department.

For Appellant : Mr.K.P.Krishna Doss

For R1 to R4 : Mr.V.Muruganantham
Additional Government Pleader

**ORDER**

This Writ petition has been filed for issuing a Writ of Certiorarified Mandamus, to quash the impugned order of the second respondent pertaining to the order issued in Letter No Pension 2/11009/2009, dated 01.07.2010 which was communicated by the fourth respondent vide his proceedings in Letter No.E/2743/2005, dated 15.07.2010 and further direct the respondents herein to appoint the petitioner as Assistant Driller in the Agricultural Engineering Department.

2. The facts of the case is that the petitioner's father was working as Driller in the fourth respondent's office and he died on 23.10.2005, while he was in service. At that time, the petitioner was pursuing Diploma in Mechanical Engineering Course. After completion of the course, the petitioner sent an application to the Hon'ble Chief Minister, on 30.11.2015 seeking compassionate appointment and the said application was forwarded to the second respondent. The said application was considered by the Principal Chief Engineer, Public Works Department, Chennai by stating that his application was negatived because of the prevailing ban order for appointment in Government Department. Further, the petitioner was directed vide letter dated 25.05.2017 to apply for compassionate appointment through proper channel.

3. When the matter is taken up for hearing, the learned Additional Government Pleader would submit that subsequent to the direction of the first respondent, the second respondent vide proceeding Pension.2/31013/2011, dated 18.09.2012, has appointed the petitioner as "Assistant Driller" and allotted to the Executive Engineer (Agricultural Engineering), Tiruvellore. The petitioner has also joined duty on 03.10.2012 at the office of the Assistant Executive Engineer (Agricultural Engineering), Ponneri.

4. In view of the above submission, this Writ Petition has become infructuous, nothing survives to be adjudicated further in this writ petition.

5. Accordingly, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(T&P)

/True Copy/

Sub Assistant Registrar



To

1. The Principal Secretary to Government,
Agriculture Department,
Government of Tamil Nadu,
Government Estate, Anna Salai,
Chennai-02.

2. The Chief Engineer,
Agricultural Engineering Department,
No.487, Anna Salai, Nanthanam, Chennai-35.

3. The Superintending Engineer,
Agricultural Engineering Department,
Madurai.

4. The Assistant Executive Engineer,
Agricultural Engineering Department,
Dindugul, Dindugul District.

+ 1 cc TO The Special Government Pleader in SR No. 91117

psd

AE/JC/SAR4/27.12.2017/3P/6C

W.P. (MD) No.3541 of 2011
05.12.2017