

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.12.2018

CORAM

THE HON'BLE MR. JUSTICE M.M.SUNDRESH
and
THE HON'BLE MR. JUSTICE KRISHNAN RAMASAMY

W.A.No.2379 of 2013 & W.P.No.30687 of 2013
& M.P.Nos.1 & 1 of 2013

W.A.No.2379 of 2013

Tamil Nadu Pollution Control Board,
Rep., by its Chairman,
No.76, Mount Road,
Guindy, Chennai-600 032.

... Appellant

Vs.

1.S.Sampath

2.The Deputy Director,
Professional and Executive
Employment Office, Guindy,
Chennai-600 032.

3.The Government of Tamil Nadu,
Rep., by its Secretary,
Environment and Forest Department,
Secretariat, Chennai.

(R3 suo motu impleaded as party
respondent vide order of Court
dt.04.12.2013 made in WA.2379/2013)

... Respondents

W.P.No.30687 of 2013

S.Sampath

.. Petitioner

Vs.

1.Tamil Nadu Pollution Control Board,
Rep., by its Chairman,
No.76, Mount Road,
Guindy, Chennai-600 032.

2.The Deputy Director,
Professional and Executive
Employment Office, Guindy,
Chennai-600 032.

Writ Appeal is preferred under Clause 15 of the Letters Patent against the order dated 19.11.2013 made in M.P.No.1 of 2013 in W.P.No.30687 of 2013.

Writ petition is filed under Article 226 of the Constitution of India declaring Rule No.10 of the Tamilnadu Pollution Control Board Revised Service Regulations 2010 and the Notification dated 30.10.2013 issued by the 2nd respondent and the consequent selection process of Assistant Engineers pursuant to the notification dated 30.10.2013 issued by the 2nd respondent in the 1st respondent Board as illegal, arbitrary and contrary to law and consequently, direct the 1st respondent to fill up the 49 vacancies of Assistant Engineer by selection process by inviting applications from the eligible candidates by giving wide publicity through advertisement in News Papers, Media and source of recruitment instead of calling the names only from the 2nd respondent.

Prayer in M.P.No.1 of 2013 in W.P.No.30687 of 2013:

to grant interim injunction restraining the 1st respondent from going ahead in any manner to fill up the 49 posts of Assistant Engineer from the candidates sponsored by the 2nd respondent alone pursuant to its Notification dated 30.10.2013, pending disposal of the W.P.No.30687 of 2013.

For Appellant : Mr.Abdul Saleem
in WA.2379/2013
& Ist respondent in
WP.30687/2013

For 1st respondent : Mr.Balan Haridas
in WA.2379/2013 &
petitioner in WP.30687/2013

For R2 & R3 in : No appearance
in WA.2379/2013 &
R2 in WP.30687/2013

COMMON JUDGMENT

(Judgment of the Court was made by M.M.SUNDRESH,J.)

By consent, the main writ petition itself is taken up for disposal along with this writ appeal.

2. When the writ appeal is taken up for hearing, the learned counsel appearing for the appellant/first respondent in the writ petition produced a letter dated 11.12.2018 and based upon the same, it is submitted that fresh recruitment will be done by making advertisement in newspapers and for the present recruitment by Tamil Nadu Public Service Commission, it has been proposed to invite on line applications along with the names sponsored by the Employment Exchange.

3. In view of the abovesaid submission, the interim order granted by the learned single Judge gets vacated and the writ petition and the writ appeal stand disposed of. No costs. However, we make it clear that the appellant herein shall make a paper publication both in English and Vernacular language having wide circulation with respect to calling for applications. This should be done along with two modes of application being called for. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar(CS vii)

//True Copy//

Sub Assistant Registrar

raa

To

1.The Deputy Director,
Professional and Executive
Employment Office, Guindy, Chennai-600 032.

2.The Secretary, Government of Tamil Nadu,
Environment and Forest Department,
Secretariat, Chennai.

3..The Chairman,
Tamil Nadu Pollution Control Board,
No.76, Mount Road, Guindy, Chennai-600 032.

copy to

The section officer,
VR Section,High court,Madras

+lcc to Mr.Balan Haridas , Advocate SR.No. 86896

W.A.No.2379 of 2013 &

W.P.No.30687 of 2013

A.SK(15/02/2019)