

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Special Original Jurisdiction)

Wednesday, the Eleventh day of April Two Thousand Eighteen

PRESENT

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

WMP No.14793 of 2017

IN WP.12687/2016

THE SECRETARY TO GOVERNMENT [PETITIONER]
PERSONNEL AND ADMINISTRATIVE REFORMS (F)
DEPARTMENT, FORT ST. GEORGE,
CHENNAI - 600 009.

Vs

1 THIRU MD. VAILULLAH SHARIF [RESPONDENTS]
MANAGER (ECONOMIC INVESTIGATION) GRADE II,
DISTRICT INDUSTRIES CENTRE, DISTRICT MASTER
COMPLEX, COLLECTORATE CAMPUS, PERAMBALUR - 621 212.

2 THE ADDITIONAL CHIEF SECRETARY
TO GOVERNMENT, MICRO SMALL AND MEDIUM
ENTERPRISES (E-II-I) DEPARTMENT, FORT ST.
GEORGE, CHENNAI-9.

3 THE ADDITIONAL CHIEF SECRETARY /
INDUSTRIES COMMISSIONER & DIRECTOR OF INDUSTRIES
& COMMERCE, SIDCO CORPORATE OFFICE BUILDING,
2ND & 3RD FLOOR, THIRU -VI-KA - INDUSTRIAL ESTATE,
GUINDY, CHENNAI-32.

4 THE JOINT DIRECTOR ESTABLISHMENT
O/O.THE ADDITIONAL CHIEF SECRETARY/INDUSTRIES
COMMISSIONER & DIRECTOR OF INDUSTRIES & COMMERCE
SIDCO CORPORATE OFFICE BUILDING,
2ND & 3RD FLOOR, THIRU-VI-KA-INDUSTRIAL ESTATE,
GUINDY, CHENNAI-32.

5 THE SECRETARY
TAMIL NADU PUBLIC SERVICE COMMISSION,
FRAZER BRIDGE ROAD, VOC NAGAR PARK TOWN,
CHENNAI- 600 003.

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to delete the petitioner / fourth respondent namely the Secretary to Government, Personnel and Administrative Reforms Department, Secretariat, Fort St. George, Chennai - 600 009 from the cause title of the above Writ Petition pending WP No.12687/2016.

Order : This petition coming on for orders upon perusing the petition and the affidavit filed in support thereof and upon hearing the arguments of M/S.V.KADHIRVELU, Special Government Pleader for the petitioner and of MR.S.T.P.KUILMOZHI, Advocate on behalf of the 1st Respondent, the court made the following order:-

The relief sought for in the main writ petition is to call for the records of the first respondent in G.O.(4D) No.03, Micro Small and Medium Enterprises (EI-1) Department dated 1.3.2016 and quash the said order to the limited extent in respect of not approving / regularising the petitioner alone is concerned and consequently direct the respondents to approve / regularise the service of the petitioner in the Post of Assistant Director (Survey and Statistics) in category-3 of the Tamil Nadu Industries Service for the year 2008-2009 with all monetary and service benefits.

2. The writ petitioner has prayed for inclusion of his name in the panel for promotion to the post of Deputy Director. The preparation of panel and promotions are to be considered by the respondents 1 and 2 in the main writ petition and the fourth respondent in the main writ petition namely, the Secretary to Government, Personnel and Administrative Reforms Department, Chennai-9 is no way connected with the promotion of the writ petitioner. Under these circumstances, the petitioner/fourth respondent in the writ petition filed the present miscellaneous petition, seeking deletion of his name.

3. It is stated in the affidavit filed in support of the miscellaneous petition that the first respondent/writ petitioner has not challenged any orders/ instructions issued by the Personnel and Administrative Reforms Department and no cause of action has been established for impleading the petitioner/fourth respondent in the writ petition.

4. Thus, the petitioner/fourth respondent is an unnecessary party in the writ petition. In this view of the matter, the deletion petition stands allowed and the petitioner/fourth respondent in the writ petition is deleted from the cause title.

-sd/-

11/04/2018

/ TRUE COPY /

Sub Assistant Registrar (Statistics / C.S.)
High Court, Madras - 600 104.

TO

1 THE ADDITIONAL CHIEF SECRETARY
TO GOVERNMENT, MICRO SMALL AND MEDIUM
ENTERPRISES (E-II-I) DEPARTMENT, FORT ST.
GEORGE, CHENNAI-9.

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PERSONNEL AND ADMINISTRATIVE REFORMS (F)
DEPARTMENT, FORT ST. GEORGE,
CHENNAI - 600 009.

The Special Government Pleader, High Court, Chennai

Order

in
WMP.14793/2017

in
WP.12687/2016

Date :11/04/2018

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