

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 22.03.2018

Coram

THE HONOURABLE Mr. JUSTICE K.K.SASIDHARAN
AND
THE HONOURABLE Mr. JUSTICE P.VELMURUGAN

W.A.No.2868 of 2012

P.V.V.Ramana Rao

.. Appellant

Vs.

The Deputy Conservator
Marine Department
Chennai Port Trust
Rajaji Salai, Chennai 600 001.

... Respondent

Writ Appeal filed under Clause 15 of Letters Patent to set-aside the order dated 22.11.2012 made in W.P.No.20217 of 2012 on the file of this Court.

W.P. No. 20217/2012:

Petition filed under Article 226 of the constitution of India praying for a Writ of Certiorarified Mandamus, calling for the records of the respondent in his proceeding No.D1/636/2008/M dated 11.07.2012 which was received by the Petitioner on 24.07.2012 and quash the same and consequently direct the respondent to retain the petitioner in port fire service division as sign writer(HS Grade II)

For Appellant : Mr.K.Raja

For Respondent : Dr.M.Devendran

J U D G M E N T

[Judgment of the Court was delivered by K.K.SASIDHARAN, J.]

The appellant was working as Sign Writer (HS Grade II) and he was transferred from one Division to another without there being any indication as to whether there is any post of Sign Writer in the transferee Department. The writ petition filed by the appellant was dismissed. The counter affidavit filed by the

respondent does not indicate as to whether the appellant was transferred to the transferee Department in the post of Sign Writer.

2. We therefore, directed the respondent to file an affidavit as to whether the appellant was transferred to the

post of Sign Writer in the transferee Department and whether he would be working as a Sign Writer in the transferee Department.

3. When the writ appeal is taken up for hearing today, the learned Standing Counsel for the Chennai Port Trust filed an affidavit sworn to by the Deputy Conservator, Chennai Port Trust indicating that the appellant has already been re-transferred with effect from 01 December, 2015.

4. The factual matrix indicates that the in spite of transfer to the post of Sign Writer, the appellant has not joined and on the basis of the interim order, he continues to occupy the earlier position. Now that the Chennai Port Trust have made it clear that he has already been re-transferred to the parent Department, nothing survives for adjudication in the appeal.

The intra court appeal is disposed of taking into account the affidavit filed by the Chennai Port Trust. No costs.

s/d-
Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

The Deputy Conservator
Marine Department
Chennai Port Trust
Rajaji Salai, Chennai 600 001.

+1 CC to Dr.M.Devendran, advocate sr 22407.

W.A.No.2868 of 2012

GP(CO)
SP(10/04/2018)

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