

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.07.2018

CORAM

THE HONOURABLE Mr.JUSTICE V.PARTHIBAN

W.P.No.17263 of 2018 and
W.M.P.No.20539 of 2018

S.P.Sakthivel

... Petitioner

Vs

1.The Chairman,
Chennai Port Trust,
Rajaji Salai,
Chennai-600 001.

2.The Deputy Chairman,
Chennai Port Trust,
Rajaji Salai,
Chennai-600 001.

3.The Chief Engineer (Civil),
Chennai Port Trust,
Rajaji Salai,
Chennai-600 001.

.... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Certiorarified Mandamus, calling for the entire records in pursuant to the reversion order No.E1/4000/2010/E, dated 30.06.2018, issued by the 2nd respondent and quash the same and consequently, direct the respondents to restore the petitioner's original post of Assistant Engineer (Civil) w.e.f. 30.06.2018 with all consequential benefits within a stipulated time.

For Petitioner : Mr.T.P.Prabakaran

For Respondents : Mr.M.Palanimuthu,
Standing Counsel for
respondents port Trust

O R D E R

Heard Mr.T.P.Prabakaran, learned counsel for the petitioner and Mr..M.Palanimuthu, learned Standing Counsel appearing for the respondents.

2. The petitioner has approached this Court, seeking the following relief:-

"To issue a Writ of Certiorarified Mandamus, calling for the entire records in pursuant to the revision order No.E1/4000/2010/E, dated 30.06.2018, issued by the 2nd respondent and quash the same and consequently, direct the respondents to restore the petitioner's original post of Assistant Engineer (Civil) w.e.f. 30.06.2018 with all consequential benefits within a stipulated time.."

3. The case of the petitioner is as follows:-

The present impugned order dated 30.06.2008, was in compliance of the order passed by the Division Bench of this Court on 24.04.2018 in W.A.No.1624 of 2015. The operative portion of the order of the Division Bench of this Court passed in W.A.No.1642 of 2015, as found in Paragraph-22, is extracted below:

"22. The Select list dated 21 February 2009 is quashed. We direct the Chennai Port Trust to conduct a fresh selection by adopting a fair and transparent process without any element of arbitrariness. The selection process should be confined to the 36 candidates who took part in the selection on 21 February, 2009. Such exercise shall be completed within a period of three months from the date of receipt of a copy of this judgment."

4. In view of the quashing of the selection list, in which the name of the petitioner is also figured admittedly, this Court does not find any merit to entertain the writ petition, since the impugned order was passed only in pursuance of the judgment of the Division Bench of this Court.

5. In the said circumstances, this Court is of the considered view that the writ petition is not at all maintainable and accordingly, the same is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

kal

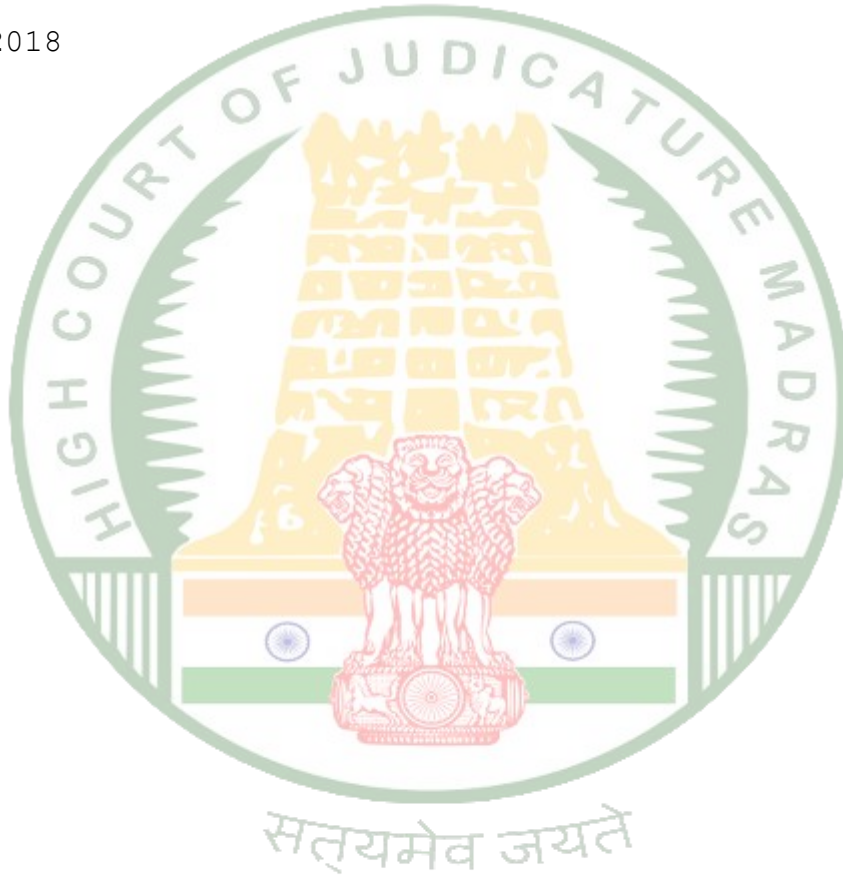
To

+1cc to Mr.T.P.Prabakaran, Advocate sr.no.45460

+1cc to Mr.M.Palanimuthu, Advocate sr.no.45696

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