

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.06.2018

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.24859, 24860 and 27859 of 2006

And

M.P.Nos.1 to 3, 1 to 3 and 2 of 2006

R.Rajendran ... Petitioner in W.P.No.24859 of 2006
P.Sivakumar ... Petitioner in W.P.No.24860 of 2006
M.S.Omar Sheriff ... Petitioner in W.P.No.27859 of 2006

Vs.

1.The State of Tamilnadu,
Rep. by its Secretary to Govt.,
Transport Department,
Fort St.George, Chennai - 9.

2.The General Manager,
The Tamilnadu State Transport
Corporation Ltd., Salem Division,
Salem.

... Respondents in all the
writ petitions

Common Prayer:

Petitions filed under Article 226 of the Constitution of India to issue Writ of Certiorarified Mandamus calling for the records pertaining to the impugned G.O.Ms.No.41, Transport (C1) department, dated 13.7.2006 issued by the first respondent herein and quash the same and consequently direct the respondents to permit the petitioners to join duty forthwith in pursuance to the appointment orders issued between 25.2.2006 and 28.2.2006.

For Petitioners : Mr.M.Ramdass

For Respondents : Mr.K.Ravikumar for R1
Additional Government Pleader
Ms.S.Rajani Ramadoss for R2

C O M M O N O R D E R

The petitioners have filed these writ petitions seeking issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the impugned G.O.Ms.No.41, Transport (C1) department, dated 13.07.2006 issued by the first respondent and to quash the same and consequently to direct the respondents to permit the petitioners to join duty forthwith in pursuance to the appointment orders issued between 25.02.2006 and 28.02.2006.

2.The case of the petitioners is that they possess Heavy Passenger Vehicle Driving Licence and they have registered their names in the Employment Exchange. The Government issued G.O.Ms.No.57, Transport Department, dated 21.07.2005, lifting the ban on recruitment and decided to fill up 2000 Driver posts and 700 Conductor posts by recruitment process. Accordingly, the petitioners underwent the selection process and they got selected. The respondents also issued orders of appointment between 25.02.2006 and 28.02.2006. However, without assigning any reason, the impugned Government Order in G.O.Ms.No.41, Transport (C1) department, dated 13.07.2006, came to be passed, directing the Managing Directors of all State Transport Corporations to withdraw the provisional appointment orders issued to the Drivers/ Conductors selected on the basis of the order issued in pursuance to G.O.Ms.No.57, Transport Department, dated 21.07.2005. Challenging the same, the petitioners have filed these writ petitions.

3.Heard the arguments advanced on either side.

4.The learned counsel appearing for the second respondent would submit that subsequent to the filing of these writ petitions, in the absence of any interim order, the petitioners were taken into service. In this regard, the learned counsel also produced a copy of the letter dated 07.06.2018 in Ref No: TNSTC (Slm)/Legal/CO1/WP/ CC/2006 from the Tamil Nadu State Transport Corporation (Salem) Limited addressed to the learned counsel. From the said letter, it is known that the date of appointment of the petitioners namely, R.Rajendran, P.Sivakumar and M.S.Omar Sheriff as Drivers are 06.08.2007, 31.07.2007 and 06.08.2007 respectively. The said copy of the letter dated 07.06.2018 is taken on record.

5.In view of the above, these writ petitions are closed as nothing survives for further adjudication in these writ petitions. No costs. Consequently, the connected miscellaneous petitions are also closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

pri

To

1.The Secretary to Govt.,
The State of Tamil Nadu,
Transport Department,
Fort St.George, Chennai - 9.

2.The General Manager,
The Tamilnadu State Transport
Corporation Ltd., Salem Division,
Salem.

+3ccs to Ms.S.Rajani Ramadoss, Advocate, S.R.No.36196,36197,36198
+1cc to the Government Pleader, S.R.No.35883,35884,35885

W.P.Nos.24859, 24860
and 27859 of 2006
And
M.P.Nos.1 to 3, 1 to 3
and 2 of 2006

KSJ(CO)
CS/22/06/18

सत्यमेव जयते

WEB COPY