

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.01.2019

CORAM

THE HONOURABLE Mr. JUSTICE S.M.SUBRAMANIAM

W.P.No.12841 of 2005

1.T.Palani

2.K.Thiagarajan

...Petitioners

Vs

1.The State of Tamil Nadu, rep.by the
Secretary to Government,
Tamil Development Culture and Religious Endowments
Department,
Fort St.George
Chennai - 600 009

2.The Commissioner
HR & CE, Administration Department
Nungambakkam High Road
Chennai - 600 034

...Respondents

PRAYER: Writ Petitions filed under Article 226 of the Constitution of India, to issue Writ of Certiorarified Mandamus, calling for the records relating to the Letter No.7438/ANE 2-2/2004-3 and Letter No.7438/ANE 2-2/2004-4 dated 25.10.2004 of the 1st respondent herein and quash the same and to direct the respondents to revise the panels for the Panel years 1995-1996 onwards upto the panel for the year 2002-2003 as per the Amended Rule 2(2)(C) of the Tamilnadu Hindu Religious and Charitable Endowments Administration service Rule which was in force from 2.3.1994 to 20.11.2003 and to include the names of the petitioners herein at the appropriate panel and consequently promote them as Assistant Commissioner with retrospective effect with all attendant benefits.

For Petitioners : Mr.R.Muthukkannu

For Respondents : Mr.M.Maharaja, Special
Government Pleader
(HR & CE)
for R1 & R2

O R D E R

The grievances of the writ petitioners are that their names were not considered in the appropriate panel for promotion to the Post of Assistant Commissioner.

2.The learned Special Government Pleader appearing on behalf of the respondents states that the cause aroused for the purpose of filing the present writ petition did not exists. In this regard, Paragraph 10 of the counter affidavit referred, which is extracted hereunder:

"10.With references to Grounds 'H' and 'I' of the affidavit, it is respectfully submitted that due to the orders passed by the Hon'ble Supreme Court, 3 (three) notional vacancies were created at a later date but those 3(three) vacancies could not be filled up, since, the panel periods were already lapsed. However, no juniors to the writ petitioners were either promoted or included in the panel superceding the writ petitioners. Thus, the allegations of the petitioners are not acceptable and it is out of sheer frustration. The averments mentioned in the aforesaid writ petition in toto are once again denied as baseless, incorrect and unsound."

3.In view of the above contention, no further adjudication is required in the present writ petition. Accordingly, the writ petition stands closed. However, there shall be no order as to costs.

Sd/-
Assistant Registrar(CCC)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

To

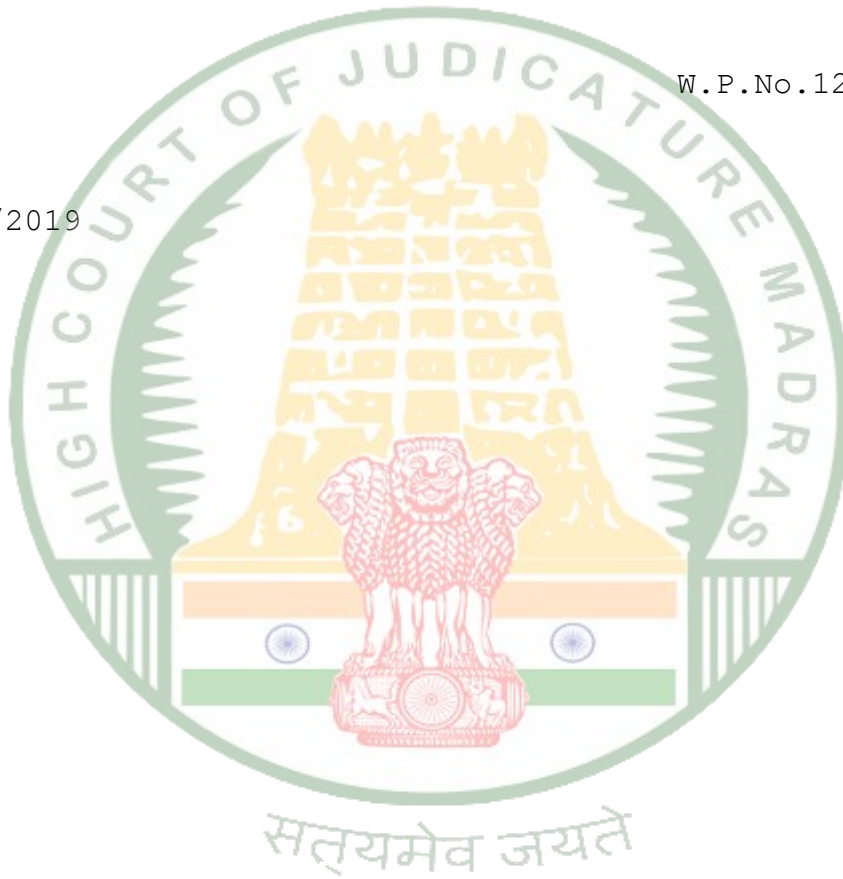
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+lcc to the Government Pleader sr.9412

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mg[co]
srg 26/02/2019



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