

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2019

CORAM

THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM

W.P.No.5339 of 2004
and
MP.No.578 of 2010

V.Asokan

..Petitioner

vs

1.The Commissioner HR & CE,
Nungambakkam, Chennai.

2.The Assistant Commissioner,
HR&CE Department,
Virudhunagar.

3.Executive Officer,
A/M.Chokkanatha Swami Temple,
Aruppukottai.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, calling for the records of the 2nd respondent made in Nada.Na.Ka.No.776/01-1 B3 dated 03.02.2004 quash the same.

For Petitioner : Mr.R.Ramesh

For Respondents : Mr.M.Maharaja, Spl.Govt.Pleader
(HR&CE) for R1 to R3

सत्यमेव जयते
O R D E R

The order passed by the Assistant Commissioner, HR & CE department in proceeding dated 03.02.2004 in respect of an appointment of fit person is under challenge in the present writ petition.

2. The learned Special Government Pleader appearing on behalf of the HR & CE department, made a submission that during the pendency of the writ petition on hand, the writ petitioner preferred original application No. 12 of 1997 before the Joint Commissioner, Sivaganga, who in turn rejected the application on 31.12.2012. The writ petitioner preferred an appeal before the Commissioner, HR&CE department in AP.No.35 of 2014 and in the

said appeal, the Commissioner passed final order on 27.02.2015 remanding the matter back to the Joint Commissioner for re-adjudication.

3. The process of re-adjudication had been proceeded with and the same has been concluded and the Joint Commissioner reserved order on 29.12.2018. This being the factum of the case, the Joint Commissioner, Sivaganga is directed to consider the issues on merits and pass orders in accordance with law without causing any undue delay.

4. With these observations, the writ petition stands disposed of. No Costs. Consequently, the impleading petition stands closed.

Sd/-
Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

Pkn

To

1.The Commissioner HR & CE,
Nungambakkam, Chennai.

2.The Assistant Commissioner,
HR&CE Department,
Virudhunagar.

3.Executive Officer,
A/M.Chokkanatha Swami Temple,
Aruppukottai.

+1 cc to Mr.K.Moorthy, Advocate, S.R.No.6441

+1 cc to Spl.Govt.Pleader (HR&CE), S.R.No.7241

SR(CO)
SSM(19/02/2019)

W.P.No.5339 of 2004

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