

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 08.11.2019

CORAM :

THE HONOURABLE MR.JUSTICE SUBRAMONIUM PRASAD

W.P.No.9990 of 2013

K.Manivelan

... Petitioner

Vs

1.The Principal Secretary
& Commissioner,
Corporation of Chennai,
Ripon Building,
Chennai - 600 003.

2.The Assistant Commissioner(GA&P),
General Department,
Corporation of Chennai,
Ripon Building,
Chennai - 600 003.

... Respondents

Prayer : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records of the 2nd respondent in Proceedings bearing G.D.Na.Ka.No.E5/24801/2011 dated 20.07.2011 containing the final panel of Assistants for the year 2011-2012 fit for promotion to the post of Licence Inspector and quash the same in so far as the petitioner is concerned and consequently direct the respondents to include the name of the Petitioner in the panel of Assistants for the year 2011-2012 which is the feeder category for promotion to the post of Licence Inspector in the appropriate place along with all consequential benefits.

For Petitioner : Mr.K.S.Viswanathan

For Respondents: Ms.Adv.Neethu.P
for Dr.C.Ravichandran for R1

O R D E R

The instant writ petition is one for a writ of Certiorarified Mandamus to call for the records of the 2nd respondent in Proceedings bearing G.D.Na.Ka.No.E5/24801/2011 dated 20.07.2011 containing the final panel of Assistants for the year 2011-2012 fit for promotion to the post of Licence Inspector and quash the same in so far as the petitioner is concerned and consequently direct the respondents to include the name of the Petitioner in the panel of Assistants for the

year 2011-2012 which is the feeder category for promotion to the post of Licence Inspector in the appropriate place along with all consequential benefits.

2.The petitioner joined the respondent Corporation as a typist on 15.10.1999 and later he was promoted as Assistant in the year 2005. The petitioner has acquired a M.A.(History) degree through Annamalai Open University and he has also acquired B.A.(History) from Annamalai University. The next promotion eligible to the post of Assistant is one of Licence Inspector. The petitioner states that he was fully qualified for promotion to the post of Licence Inspector in the year 2011 but, his name was not included in the selection panel of Assistants for the year 2011-2012, for the reason that he had acquired a Post Graduation Degree without acquiring a Graduation Degree and therefore, it was found that the petitioner did not fulfill the eligible qualification for being appointed as Licence Inspector. It is this order, by which the petitioner was denied to be included in the panel for promotion to the post of Licence Inspector, which is under challenge in the instant writ petition.

3.After the writ was filed, the respondents have filed a counter. In the counter it is stated that the respondents have promoted the writ petitioner to the post of Section Manager/Superintendent, which is yet another avenue from the post of Assistant, in the panel 2013-2014.

4.Heard, the learned counsel for the parties.

5.The learned counsel for the petitioner states that he has got instructions from his client that he is satisfied with the promotion given to him as Section Manager/Superintendent in the panel 2013-2014. The said order has also been implemented by an order vide office proceedings G.D.C.No.E5/5130/2013 dated 20.07.2013. He would therefore state that since the petitioner has been promoted as Superintendent, the petitioner is not inclined to pursue the writ petition.

6.In view of the statement made by the learned counsel for the petitioner, this writ petition is dismissed as infructuous. No costs.

Sd/-

Assistant Registrar (CS-VI)

//True Copy//

Sub Assistant Registrar

To

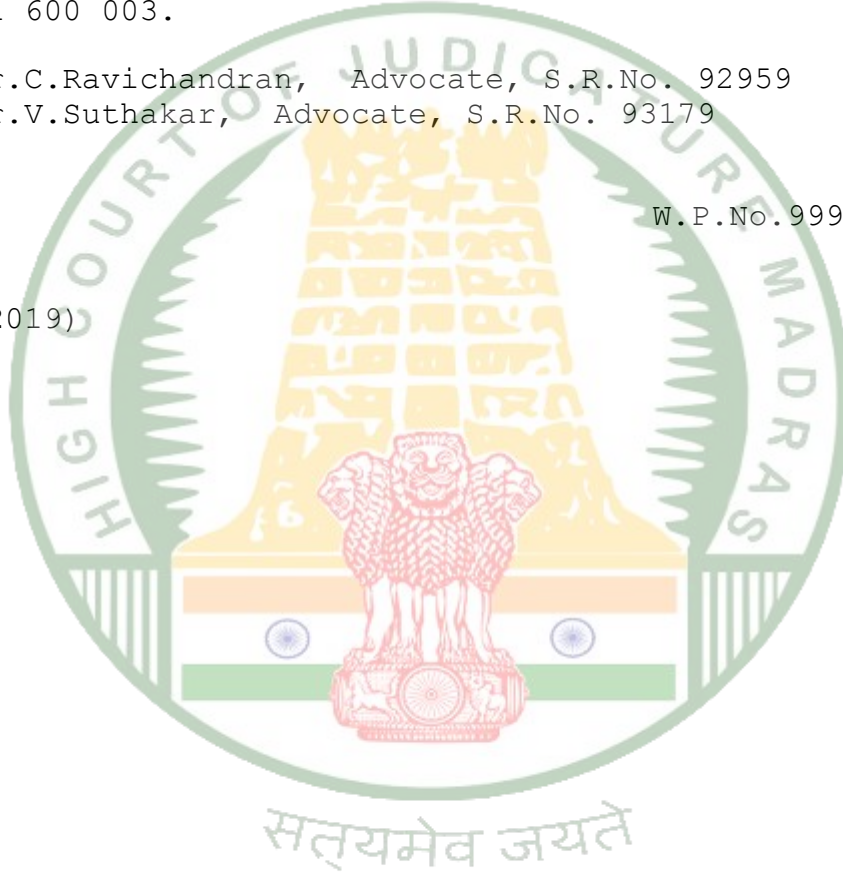
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+1cc to Mr.C.Ravichandran, Advocate, S.R.No. 92959
+1cc to Mr.V.Suthakar, Advocate, S.R.No. 93179

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MR(CO)
GN(27/12/2019)



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