



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.[MD]Nos.7661 and 21333 of 2015

and

M.P. (MD)Nos.1 and 1 of 2015

P.Ponnudurai

: Petitioner in both W.Ps.

Vs.

1.The Secretary to Government of Tamil Nadu,
Rural Development and Panchayat Raj Department,
E3 Department, St. George,
Chennai-9.

2.The District Collector,
Dindigul District,
Dindigul.

3.The Commissioner/Block Development Officer,
Panchayat Union,
Palani.

4.The Additional Block Development Officer,
Palani. : Respondents in W.P.[MD]No.7661/2015

1.The Government of Tamil Nadu,
Rep. by its Principal Secretary and
Agricultural Production Commissioner,
Fort St. George, Secretariat,
Chennai-600 009.

2.The Chief Engineer,
Agricultural Engineering Department,
No.487, Anna Salai,
Nandanam, Chennai-600 032.

: Respondents in W.P.(MD)No.21333/2015

PRAYER in W.P.[MD]No.7661/2015:: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Certiorari, to call for the records pertaining to the order passed by the first respondent in G.O.No.434, Rural Development and Panchayat Raj E3 Department, dated 07.10.2014 and quash the same.

PRAYER in W.P.[MD]No.21333/2015:: Writ Petition is filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the respondents to promote the



petitioner to the post of Assistant Executive Engineer as per the seniority list.

For Petitioner
in both W.Ps.

: Mr.M.Veil Kani Raju

For Respondents 1,2&4
in W.P.(MD)No.7661/2015

: Mr.C.M.Mari Chellaiah Prabhu,
Additional Government Pleader

& For Respondents 1&2
in W.P.(MD)No.21333/2015

For Respondent No.3

: Mr.T.S.Mohammed Mohideen

in W.P.(MD)No.7661/2015

COMMON ORDER

In W.P.(MD)No.7661/2015, the challenge is to the order dated 07.10.2014, whereby and whereunder, the petitioner was imposed with the punishment of stoppage of increment for a period of two years without cumulative effect and a direction was issued to recover a sum of Rs.87,756/- at the rate of Rs.3,000/-per month.

2. In W.P.(MD)No.21333/2015,, the petitioner seeks a Writ of Mandamus, directing the respondents to promote him to the post of Assistant Executive Engineer as per the seniority list.

3. Today, when the Writ Petitions were taken up for hearing, the learned Additional Government Pleader appearing on behalf of the official respondents fairly submitted that during the relevant period of time, the petitioner was said to be undergoing punishment and hence, the petitioner's case was not considered. Now, the petitioner's name is under consideration for promotion to the next level.

4. Recording the submission so made by the petitioner, the Writ Petition in W.P.(MD)No.21333/2015 stands disposed of, as no further orders are necessary. No costs. Consequently, the connected miscellaneous petition is closed.

5. Insofar as W.P.(MD)No.7661 of 2015 is concerned, since the punishment period was already over, nothing survives for adjudication in the Writ Petition and hence, the same stands closed. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar (P & A)

// True Copy //

Sub Assistant Registrar (CS)



To

- 1.The Secretary to Government of Tamil Nadu,
Rural Development and Panchayat Raj Department,
E3 Department, St. George,
Chennai-9.
- 2.The Principal Secretary and
Agricultural Production Commissioner,
Government of Tamil Nadu,
Fort St. George, Secretariat,
Chennai-600 009.
- 3.The District Collector,
Dindigul District,
Dindigul.
- 4.The Commissioner/Block Development Officer,
Panchayat Union,
Palani.
- 5.The Chief Engineer,
Agricultural Engineering Department,
No.487, Anna Salai,
Nandanam, Chennai-600 032.

+1CC TO MR.T.S.MOHAMED MOHIDHEEN, Advocate Sr. No.56614
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No.57093

Common Order made in
W.P. [MD] Nos.7661 and 21333 of 2015
Dated: **26.03.2019**

TR (16.04.2019) 3P 8C