

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.11.2020

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.16645 of 2007
(O.A.No.3990 of 2003)

Tamilnadu Transport Department
Staff Association, represented by
President K.Balasubramanian

...Petitioner

Versus

1. The Government of Tamilnadu
represented by its Secretary to
Government, Home (Transport-II)
Department, Fort St.George,
Chennai-9.

2.The Tamilnadu Motor Vehicle Inspectors(Technical) Association
(Regn.No.341/2003) (Recognition No.89/71) Chennai-33 represented
by its President V.Kandaswamy.
(R2 impleaded as per order in MA.No.3227/03 dated 07.01.2004)
...Respondents

PRAYER: Originally this petition has been filed as Original
Application No.3990 of 2003 before the Tamilnadu Administrative
Tribunal at Chennai and after abolition of TNAT, petition has
been transferred and numbered as W.P.No.16645 of 2007.

Writ petition is filed under Article 226 of the Constitution
of India praying for the issuance of a Writ of Certiorarified
Mandamus, to call for the records relating the impugned letters
85126/Tr-II/03-2, dt.25.11.2003 and Letter No.85323/Tr-II/03,
dt.27.11.2003 of the respondent issued in violations of the
proviso to Rule 2C of the Special Rules for Tamilnadu Transport
Service and quash the same and consequently direct the
respondent to prepare panel for promotion to the post of RTO in
accordance with the proviso to Rule 2C of the Special Rules for
Tamilnadu Transport Service in the year 2000, 2001 and 2001 to
2002.

For Petitioner : M/s.V.Porkodi
for Mr.V.Ajay khose
For Respondents : Mr.K.Magesh
Special Government Pleader

O R D E R

The Association/petitioner has filed Application before the Tamilnadu Administrative Tribunal, Chennai in the year 2003 in O.A.No.3990 of 2003. Subsequently, due to abolition of the Administrative Tribunal, the matter has been transferred to this Court and renumbered as W.P.No.16645 of 2007.

2. This Writ Petition has been filed challenging the impugned letters 85126/Tr-II/03-2, dt.25.11.2003 and Letter No.85323/Tr-II/03, dt.27.11.2003 of the respondent issued in violations of the proviso to Rule 2C of the Special Rules for Tamilnadu Transport Service and seeks to quash the same and to direct the respondent to prepare panel for promotion to the post of RTO in accordance with the proviso to Rule 2C of the Special Rules for Tamilnadu Transport Service in the year 2000, 2001 and 2001 to 2002.

3. The learned Special Government Pleader appearing for the respondent would submit that these two letters pertain to the proposals called for by the panel for the years 2000, 2001 and 2001 to 2002. Hence, this Writ Petition has not been filed by any individual person affected by the panel, but filed by the Association. It is not known why they have not proceeded with this case for the past 17 years and it is pertinent to note that subsequently, for every year panels were prepared for promotion. Hence nothing survives for further adjudication in this Writ Petition and submitted that the writ petition may be dismissed as infructuous.

4. Considering the submission made by the learned Special Government Pleader nothing survives for further adjudication in this Writ Petition. Accordingly, this Writ Petition is dismissed as infructuous. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Secretary to
Government, Home (Transport-II)
Department, Fort St.George,
Chennai-9.

2.The Tamilnadu Motor Vehicle Inspectors(Technical) Association
(Regn.No.341/2003) (Recognition No.89/71) Chennai-33 represented
by its President V.Kandaswamy.

+1cc to the Government Pleader, S.R.No.35620

W.P. 16645 of 2007

RR(CO)
RV(19/12/2020)



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