

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.11.2020

CORAM

THE HON'BLE MR.JUSTICE P.VELMURUGAN

W.P.NO. 643 OF 2007

AND WMP.NOS. 1 & 2 OF 2007

S.Muthukumar

..Petitioner

Vs

- 1.Chennai Port Trust
represented by its Chairman,
Rajaji Salai,
Chennai-1.
 - 2.The Chief Engineer,
Chennai Port Trust,
Chennai -1.
 3. A.Manoharan
 - 4.V.S.Harirajan
 - 5.D.Subramanian
 - 6.The Managing Director,
Indian Ports Association,
1st Flor, South Tower,
NBCC Place, Bhishan Pittamah Marg,
Lodhi Road, New Delhi -110003. ..Respondents
- [R6 impleaded as per order of this Court
dt.10.10.2011 vide in MP.NO.1/11 BY PVJ]

Prayer: Writ Petition is filed under Article 226 of Constitution of India for Certiorarified Mandamus, calling for the records pertaining to the seniority list of Assistant Executive Engineers (Civil) displayed on 8.3.2006 on the file of the first and second respondents and subsequent promotion orders issued by the second respondent vide No.E1/5671/2006/E dated 16.12.2006 of the respondents 3 to 5 to the posts of Executive Engineer(Civil) an quash the same and direct the first and second respondents to consider the promotion of the petitioner to the post of Executive Engineer(Civil)

For Petitioner	: No Appearance
For Respondents	: Mr M.R.Dharani Chander, - R1&R2 R3 to R6 - No Appearance

O R D E R

The prayer sought for in the writ petition is to call for the records pertaining to the seniority list of Assistant Executive Engineers (Civil) displayed on 8.3.2006 on the file of the first and second respondents and subsequent promotion orders issued by the second respondent vide No.E1/5671/2006/E dated 16.12.2006 of the respondents 3 to 5 to the posts of Executive Engineer(Civil) an quash the same and direct the first and second respondents to consider the promotion of the petitioner to the post of Executive Engineer(Civil).

2. When the matter came up for hearing on 02.11.2020, there was no representation for the petitioner, therefore, the learned counsel appearing for the respondents 1& 2 was directed to get instructions with regard to the correct position of the case.

3. Even today there was no representation on behalf of the petitioner. The learned counsel appearing for the respondents 1& 2 has produced a letter in No. E1/8775/2006/E issued by the Deputy Chief Engineer and submitted that as per the guidelines dated 14.02.2008 issued by the Hon'ble Supreme, a revised seniority list was prepared and as per the revised seniority list, the petitioner was granted further promotion to the post of Executive Engineer on 04.12.2009, Superintending Engineer on 30.07.2013 and Deputy Chief Engineer on 08.04.2015 and has been retired from service on superannuation on 30.04.2019. He would further submit that the petitioner had reached maximum position in Civil Engineering Department, therefore nothing survives for adjudication in the present writ petition.

4. Recording the above letter issued by the Deputy Chief Engineer and the submissions made by the learned counsel appearing for the respondents 1& 2, writ petition is dismissed as infructuous. No Costs.

Sd/-
Asst. Registrar (CS)

//True Copy//

Sub Asst. Registrar

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To

1. The Chairman,
Chennai Port Trust
Rajaji Salai,
Chennai-1.

2.The Chief Engineer,
Chennai Port Trust,
Chennai -1.

W.P.No. 643 of 2007
and WMP.Nos. 1 & 2 of 2007

RGN (CO)
VC (19/12/2020)



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