

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.12.2020

CORAM

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

W.P.Nos.37639 and 23280 of 2004

and

W.P.M.P.Nos.28170 and 45142 of 2004

M.Prabakaran

..Petitioner

in both W.Ps

Vs

Government of Tamil Nadu

rep.by Secretary to Government,

Rural Development Department,

Fort St.George, Chennai - 600 009. Respondent

in W.P.No.37639 of 2004

The Director of Rural Development,

Panagal Building, Saidapet,

Chennai -15. Respondent

in W.P.No.23280 of 2004

Prayer in W.P.No.37639 of 2004 : Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of writ of mandamus, directing the respondents to include the name of the petitioner in the panel for promotions as Joint Director of Rural Development for the year 2002-2003 as issued by the respondent in his proceedings G.O.Ms.No.5(4D) dated 25.6.2004, notwithstanding the pendency of the charge memo under Rule 17(b) issued in C.No.27403/2002/DPC 3.1, dated 13.5.2002 of the Director of Rural Development and to promote the petitioner as Joint Director of Rural Development with retrospective effect from the date of promotion of the petitioner's immediate junior with all consequential benefits.

Prayer in W.P.No.23280 of 2004 : Writ Petition filed under Article 226 of the Constitution of India, seeking issuance of writ of certiorari to call for the records on the file of the respondent in his proceedings C.No.27403/02/DPC 3.1 dated 13.5.2002 and to quash the same.

For Petitioner : No representation
in both W.Ps

For Respondents : Mr.K.Magesh
Special Government Pleader
in both W.Ps

C O M M O N O R D E R

The petitioner has come forward with these writ petitions to direct the respondent to include his name in the panel for promotion as Joint Director of Rural Development for the year 2002-2003 and to quash the proceedings of the respondent dated 13.5.2002.

2. There is no representation for the petitioner. Heard the learned Special Government Pleader for the respondents and perused the materials available on record.

3. The learned Special Government Pleader for the respondents would submit that due to the pendency of the charge memo dated 13.5.2002 issued under Rule 17(b) of the Tamil Nadu Civil Services (D & A) Rules, the petitioner's name was not considered for promotion. Subsequently, the charges were dropped and the petitioner's name was considered for promotion and he was promoted as Joint Director of Rural Development, thereafter, promoted as Additional Director of Rural Development Department. Therefore, nothing survives for adjudication in these writ petitions.

4. Recording the above submissions made by the learned Special Government Pleader, these writ petitions are dismissed as infructuous. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

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To

1. The Secretary to Government,
Government of Tamil Nadu,
Rural Development Department,
Fort St. George, Chennai - 600 009.

2. The Director of Rural Development,
Panagal Building, Saidapet,
Chennai -15.

+1cc to the Government Pleader SR.NO.39319

W.P.Nos.37639 and 23280 of 2004

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SDR 18/12/2020