

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.11.2020

CORAM

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

W.P.No.9655 of 2005
W.P.M.P.No.10480 of 2005

- 1.V.Veeraraghavan, Junior Engineer
 - 2.K.Sakunthala, Junior Engineer
 - 3.A.Karuppusamy, Junior Engineer
 - 4.S.K.Jayaraju, Assistant Engineer
 - 5.N.Balasundaram, Assistant Engineer
 - 6.B.Prabhakaran, Junior Engineer
 - 7.P.Rajeswari, Junior Engineer
 - 8.Hyder Ali Khan, Junior Engineer
 - 9.M.Kadhirvel, Junior Engineer
 - 10.S.Velumayil, Junior Engineer
 - 11.S.Kuppusamy, Junior Engineer
 - 12.K.Saravanakumar, Junior Engineer
- (All working in the Coimbatore City,
Municipal Corporation, Coimbatore.)

... Petitioners

Vs.

- 1.The Secretary to Government,
Municipal Administration & Water Supply Department,
Secretariat, Fort St.George,
Chennai - 9.
- 2.The Secretary to Government,
Personnel & Administrative Reforms Department,
Secretariat, Fort St.George,
Chennai - 9.
- 3.The Commission of Municipal Administration,
Chepauk,
Chennai - 5.
- 4.The Commissioner,
Coimbatore City Municipal Corporation,
Coimbatore - 1.
- 5.The Examiner of Local Fund Accounts,
Kuralagam, Chennai - 106.

6.K.Manoharan
Assistant Engineer,
Corporation of Coimbatore.

7.S.Ravichandran
Assistant Engineer
Corporation of Coimbatore.

... Respondents

PRAYER : Writ petition is filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Certiorarified Mandamus for a direction pertaining to the order passed by the fourth respondent in his proceedings vide Roc.No.120/2001/MC2 dated 30.03.2001 and Roc.No.17181/2002/MCI dated 16.09.2002 and quash the same and direct the fourth respondent to fill up the vacancies of Assistant Executive Engineer (Planning) by giving temporary promotion following the guidelines issued in the Appendix-9(1)&(2) of G.O.Ms.No.140 Municipal Administration & Water Supply Department dated 27.05.1997 by way of clarification to G.O.Ms.No.237 MA&WS Department dated 26.09.1996 and also merge the activities of both Engineering works and Town Planning works in combination as per corporation service rules.

For Petitioner : Mr.K.Venkatasubbaraju
No appearance

For Respondent : Mr.K.Magesh [R1 to R3 & 5]
Special Government Pleader
Mr.K.Magesh [R4]
Standing Counsel for
Coimbatore Corporation

ORDER

This Writ Petition has been filed directing the fourth respondent to quash the order passed in his proceedings dated 30.03.2001 and 16.09.2002 and to fill up the vacancies of Assistant Executive Engineer (Planning) by giving temporary promotion following the guidelines and also merge the activities of both Engineering works and Town Planning works in combination as per corporation service rules.

2. Learned Special Government Pleader would submit that during the pendency of the writ petition, the petitioners got promotion and some of them were retired from service on superannuation. 11th petitioner also retired from service on 06.10.2008 and died on 22.11.2008. 4th, 6th and 12th petitioner have also given a letter to the Commissioner, Coimbatore City Municipal Corporation, to withdraw the writ petition pending before this Court.

3. Considering the facts that during the pendency of the writ petition, the petitioners were retired from service and also that some of them are not interested to proceed with the matter, therefore, under these circumstances, nothing survives in this writ petition for further adjudication. Accordingly, the Writ Petition stands dismissed as infructuous. No costs. Connected miscellaneous petition is closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

- 1.The Secretary to Government,
Municipal Administration & Water Supply Department,
Secretariat, Fort St.George,
Chennai - 9.
- 2.The Secretary to Government,
Personnel & Administrative Reforms Department,
Secretariat, Fort St.George,
Chennai - 9.
- 3.The Commission of Municipal Administration,
Chepauk,
Chennai - 5.
- 4.The Commissioner,
Coimbatore City Municipal Corporation,
Coimbatore - 1.
- 5.The Examiner of Local Fund Accounts,
Kuralagam, Chennai - 106.

+1 CC to The Government Pleader sr 36951.

+1 CC to Mr.K.Magesh, Advocate sr 36880.

W.P.No.9655 of 2005

MG (CO)
SP(11/12/2020)