

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.10.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.22948 of 2013

P.Manimaran

... Petitioner

.Vs.

1. Tamil Nadu Civil Supplies Corporation
Represented by its Chairman and Managing Director,
No.12, Thambusamy Road, Kilpauk,
Chennai 600 010.

2. The General Manager (Administration),
Tamil Nadu Civil Supplies Corporation
No.12, Thambusamy Road,
Kilpauk,
Chennai 600 010.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records relating to the impugned order dated 13.08.2012 bearing ref: Rc.No.AE7/ 60988/2012 passed by the 2nd respondent and quash the same and consequently direct the respondents to consider the petitioner for appointment to the post of Deputy Manager, in accordance with law.

For Petitioner : Mr.D.Bharathachakravathy
for M/s.Sai Bharath and Ilan

For Respondents: Mr.L.P.Shanmugasundaram
Special Government Pleader (Co-op.)

O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Certiorarified Mandamus calling for the records relating to the impugned order dated 13.08.2012 bearing ref: Rc.No.AE7/60988/2012 passed by the second respondent and to quash the same and to consequently direct the respondents to consider the petitioner for appointment to the post of Deputy Manager, in accordance with law.

2.The case of the petitioner is that the petitioner is fully

eligible to be considered for the post of Deputy Manager. The recruitment to the said post is covered by the Employees Service Regulations framed by the respondent Corporation and amended from time to time. As per the Service Regulations, every fourth vacancy to the post of Deputy Manager has to be filled up by direct recruitment and the rest by promotion.

3.It is the further case of the petitioner that the petitioner made representation to the respondents on 17.11.2011 seeking to consider him for appointment to the post of Deputy Manager as per Rules and since there was no response, filed W.P.No.21696 of 2012 before this Court. Thereafter, the impugned order was passed by the second respondent and therefore the said writ petition was closed. Even thereafter, the petitioner made representation to the first respondent on 27.11.2012, however, there is no response. Hence, this writ petition.

4.The learned counsel appearing for the petitioner would submit that the petitioner made representation to the respondents seeking to appoint him as Deputy Manager through direct recruitment as he had the necessary qualification and since there was no fruitful response for the said request, he filed the writ petition, however, during the pendency of this writ petition, the petitioner retired from service during August, 2017.

5.Heard the arguments advanced on either side and perused the materials available on record.

6.Perusal of records disclose that the petitioner has made representation to the respondents seeking to appoint him as Deputy Manager through direct recruitment. In the impugned order dated 13.08.2012, it is clearly stated that the request of the petitioner will be considered as and when necessity arises and action initiated to fill up the post of Deputy Manager by appointment through direct recruitment subject to eligibility. Further, the petitioner has retired from service during August, 2017. Hence, this Court is not inclined to interfere with the impugned order.

7.The writ petition is accordingly dismissed. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

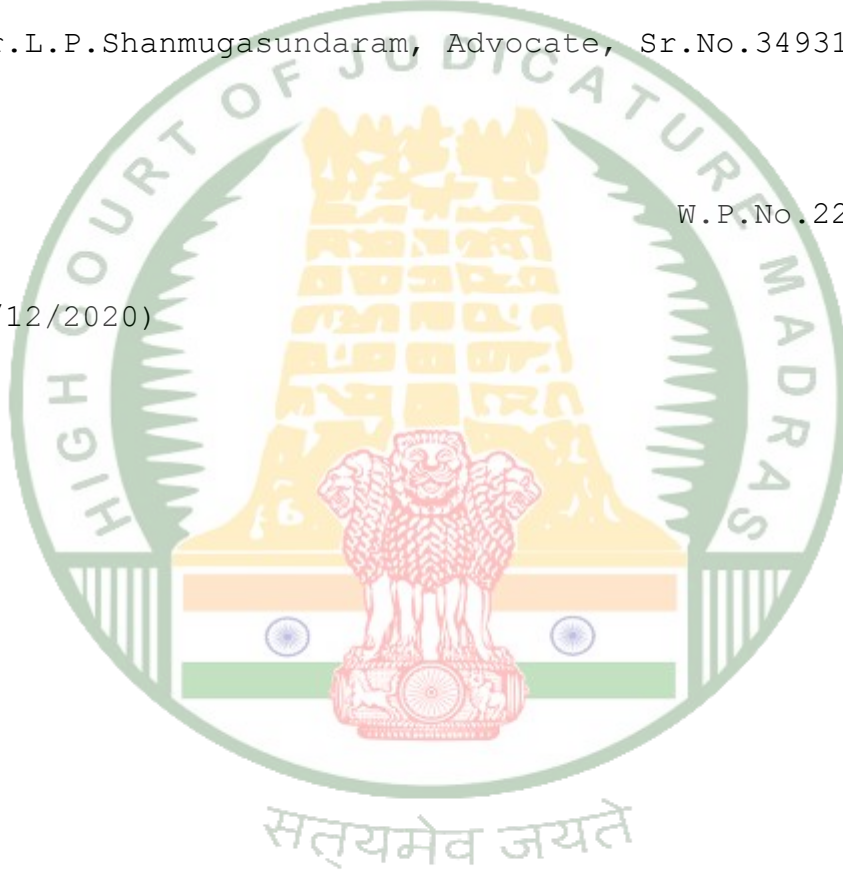
To

1. The Chairman and Managing Director,
Tamil Nadu Civil Supplies Corporation,
No.12, Thambusamy Road, Kilpauk,
Chennai 600 010.
2. The General Manager (Administration),
Tamil Nadu Civil Supplies Corporation
No.12, Thambusamy Road,
Kilpauk, Chennai 600 010.

+1cc to Mr.L.P.Shanmugasundaram, Advocate, Sr.No.34931

W.P.No.22948 of 2013

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