

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2020

CORAM

THE HONOURABLE MR.JUSTICE ABDUL QUDDHOSE

W.P.NO.25216 OF 2012

AND

W.P.NO.4593 OF 2013

W.P.No.25216 of 2012:-

M.Nallasivam

... Petitioner

Vs.

1. The Revenue Divisional Officer,
Dharapuram,
Tiruppur District.
2. The Tahsildar,
Kangeyam Taluk Office,
Kangeyam.
3. The Revenue Inspector,
Nathakadaiyur,
Kangeyam Taluk.
4. The Village Administrative Officer,
Maravapalayam Village,
Kangeyam Taluk.
5. Duraiyan
6. Subramani
7. Manian
8. Gurusamy

... Respondents

W.P.No.4593 of 2013:-

Murugan

... Petitioner

Vs.

1. The District Collector,
Tiruppur District.

2. The Village Administrative Officer,
Maravapalayam Village,
Kangeyam Taluk.

... Respondents

Prayer in W.P.No.25216 of 2012:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorari, to call for the records relating to the impugned order made in Na.Ka.No.6184/12/A-4, dated 16.08.2012 passed by the second respondent and quash the same and consequentially direct the respondents to issue First Graduate Certificate in a Family to the petitioner.

Prayer in W.P.No.4593 of 2013:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to conduct an enquiry with the petitioner in the presence of the second respondent based on the petitioner's representation dated 15.11.2012 and consider the petitioner's representation in accordance with law.

For Petitioner : Mr.M.Saravanakumar (in both W.P.s')

For Respondents: Mr.R.S.Selvam
Government Advocate
(in W.P.No.4593 of 2013 &
For R1 to R4 in W.P.No.25216 of 2016)

Notice served - No appearance - R5 to R8
(in W.P.No.25216 of 2016)

COMMON ORDER

These Writ Petitions have been filed for the same relief. W.P.No.25216 of 2012 has been filed by the Son M.Nallasivam for non-issuance of the First Graduation Certificate to him. W.P.No.4593 of 2013 has been filed by the father Murugan for non-issuance of the First Graduation Certificate to his son M.Nallasivam. In effect, the common grievance of the petitioner is the non-issuance of the First Graduation Certificate to M.Nallasivam though Murugan, the writ petitioner in W.P.No.4593 of 2013 has sought for other incidental reliefs in his representation to the respondents.

2. It is now brought to the notice of this Court by the learned Government Advocate that subsequent to the filing of these writ petitions, the First Graduation Certificate has been issued to the petitioner in W.P.No.25216 of 2012 and therefore, nothing survives for adjudication in both these Writ Petitions.

3. As seen from the affidavits filed in support of these writ petitions, it is clear that the common grievance of the petitioners are that the respondents did not issue the First Graduation Certificate to M.Nallasivam the petitioner in W.P.No.25216 of 2012. Hence, submissions made by the learned counsel for the petitioners that a direction will have to be issued to the respondents to dispose of the representation in W.P.No.4593 of 2013 is uncalled for.

4. The averments contained in the affidavits filed in support of both these writ petitions are more or less one and the same and it relates only to non-issuance of the First Graduation Certificate to the petitioner in W.P.No.25216 of 2012.

5. In view of the same, both these writ petitions are dismissed as infructuous as relief sought for by the petitioners have been achieved.

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

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1. The Revenue Divisional Officer,
Dharapuram, Tiruppur District.
2. The Tahsildar,
Kangeyam Taluk Office, Kangeyam.
3. The Revenue Inspector,
Nathakadaiyur, Kangeyam Taluk.
4. The Village Administrative Officer,
Maravapalayam Village, Kangeyam Taluk.
5. The District Collector,
Tiruppur District.

+1cc to Mr.M.Saravanakumar, Advocate, S.R.No.13236
+1cc to the Government Pleader, S.R.No.14270, 14271

W.P.No.25216 of 2012
and
W.P.No.4593 of 2013

SVI (CO)
CS/22/05/2020