

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.02.2021

CORAM

THE HONOURABLE MR.JUSTICE R. SURESH KUMAR

W.P. No. 13651 of 2011

and

W.M.P. No. 1 of 2011

P.Subramanian, B.E., (Agri)
Assistant Executive Engineer,
(Agricultural Engineering),
S/o.Perichiannan,
30/63, Veerapandiya Kattabomman Street,
Karatadipalayam,
Gobichettipalayam Taluk,
Erode District. ... Petitioner

-vs-

1. The State of Tamil Nadu,
Represented by its Secretary to Government,
Department of Agriculture,
Secretariat,
Chennai - 9.

2. The Chief Engineer,
Agricultural Engineering,
Nandanam, Chennai.

3. R.Murugesan,
Assistant Executive Engineer,
Office of the Chief Engineer,
Nandanam, Chennai - 35.

4. T.Chandira Sekkar,
Assistant Executive Engineer,
Tractor Workshop,
Agricultural Engineering Department,
Coimbatore.

5. G.Amutham,
Assistant Executive Engineer,
Agricultural Engineering Department,
Tuticorin.

6. Santhi Sundar Raman,
Assistant Executive Engineer,
Office of the Chief Engineer,
Nandanam, Chennai - 35.

... Respondents

PRAYER : Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Mandamus directing the respondents 1 and 2 from discriminating the petitioner who is a promotee in the post of Assistant Executive Engineer while preparing the panel for promotion to the post of Executive Engineers (Agricultural Engineering) by giving preferential right to the respondents 3 to 6 who were directly recruited to the post of Assistant Executive Engineers in a later point of time and direct the respondents 1 and 2 to follow Rule 35(aa) of the Tamil Nadu State Subordinate Service Rules and the clarification issued by the Government in Letter No. 98589/AEIII/87-2 (Agriculture Department) dated 18.02.1988 and to include his name in the promotion panel of Executive Engineer 2010-2011 as per the seniority by considering the petitioner's representations dated 30.10.2009 and 26.05.2011.

For Petitioner : Mr.N.Manokaran

For Respondents: Mr.K.Magesh

Special Govt. Pleader for R1&R2

O R D E R

The learned counsel appearing for the petitioner, on instructions, would submit that, though the prayer sought for in this Writ Petition is for promotion to the petitioner, during the pendency of the Writ Petition, the petitioner retired from service on superannuation. In view of the same, the petitioner is not interested to pursue the matter further. Therefore, recording the same, the learned counsel wants dismissal of this Writ Petition.

2. Recording the said submissions made by the learned counsel appearing for the petitioner, this Writ Petition is dismissed. However, there shall be no order as to costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vji

To

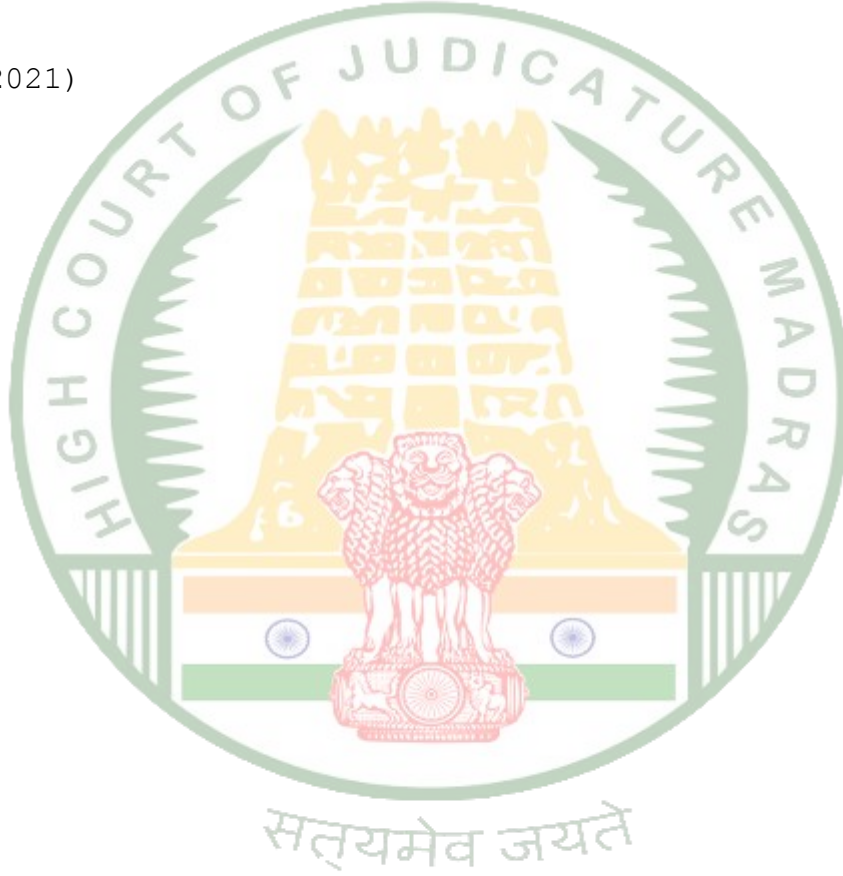
1. The State of Tamil Nadu,
Represented by its Secretary to Government,
Department of Agriculture,
Secretariat,
Chennai - 9.

2. The Chief Engineer,
Agricultural Engineering,
Nandanam, Chennai.

+1cc to Mr.N.Manokaran, Advocate SR.11023
+1cc to M/s.A.L.Ganthimathi, Advocate SR.11317
+1cc to the Government Pleader SR.11276

W.P. No. 13651 of 2011
and
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RGN(CO)
CB(19/03/2021)



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