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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 17.08.2021

CORAM

THE HONOURABLE MR.JUSTICE M.SUNDAR

W.P.No.29572 of 2008

Dr.S.Anandkumar

... Petitioner

Vs.

1. Government of Puducherry  
rep. by its Secretary to Government  
Agriculture Department  
Pondicherry

2. Krishi Vidhyan Kendra  
Karaikkal rep. by  
Chairman cum District Collector  
Karaikkal, Pondicherry

3. Chairman  
Pandit Jawarharlal Nehru College  
of Agriculture and Research  
Institute (PAJANCOA)  
Office of the Chief Secretary  
Government of Puducherry  
Pondicherry

4. Dr.L.Nadarajan

... Respondents

Writ petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus calling for the records pertaining to the order in I.D NOTE in No.69955/CS(Agriculture)/A1/2008 dated 16.10.2008 issued by the 1<sup>st</sup> respondent and quash the same and direct the Respondents 1 to 3 to fill up the post of Principal, Krishi Vigyan Kendra, Karaikkal with qualified persons of PAJANCOA as per the Recruitment Rules.

For Petitioner : Mr.P.Ganesan



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For Respondents : Mr.J.Kumaran  
Additional Govt. Pleader for R1 to R3  
  
Ms.Aishwarya.S. Nathan for R4  
for M/s.Srinath Sridevan

ORDER

Read this in conjunction with and in continuation of earlier proceedings made in the previous listings on 02.08.2021 and 16.08.2021, which read as follows:

Proceedings made on 02.08.2021

'Mr.P.Ganesan, learned counsel on record for lone writ petitioner, Ms.G.Djearany, learned Government Advocate for Puducherry on behalf of Respondents 1 to 3 and Ms.Aishwarya S.Nathan, learned counsel for 4<sup>th</sup> respondent (private respondent) are before this Virtual Court.

2. This Court is informed that the central theme of captioned writ petition in effect is challenge to the appointment of 4<sup>th</sup> respondent. This Court is also informed that the obtaining position as of today has to be ascertained as it is quite possible that 4<sup>th</sup> respondent has since completed his service. However, learned counsel for 4<sup>th</sup> respondent requests for a fortnight's time to get instructions and revert to this Court.

Request acceded to. List under the same caption on 16.08.2021.'

Proceedings made on 16.08.2021

' Read this in conjunction with and in continuation of earlier proceedings made in previous listing on 02.08.2021.

2. Mr.P.Ganesan, learned counsel representing the counsel on record for lone writ petitioner and Ms.Aishwarya S. Nathan, learned counsel on record for fourth respondent (private respondent) are before this Virtual Court, but there is no representation for respondents 1 to 3 (State counsel for Union Territory of Pudhucherry).

3. This Court, with the intention of giving opportunity to respondents, deems it appropriate to list this matter tomorrow.

4. List tomorrow i.e., 17.08.2021.'

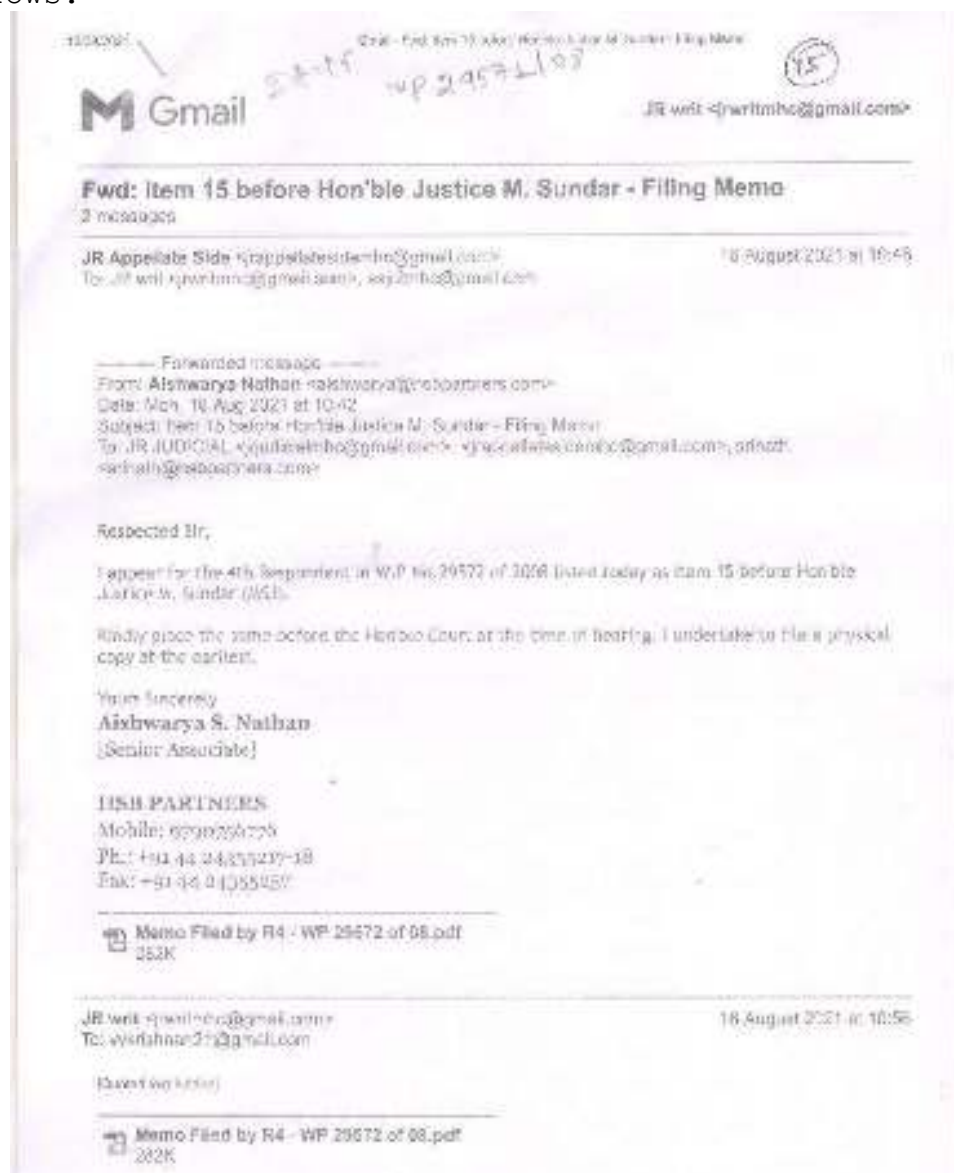
2. Mr.P.Ganesan, learned counsel representing the counsel on record for lone writ petitioner, Mr.J.Kumaran, learned State counsel (State counsel for Union Territory of Puducherry) on behalf of Respondents 1 to 3 (official respondents) and



Ms.Aishwarya.S. Nathan, learned counsel on record for fourth respondent (private respondent) are before this Virtual Court.

3. Adverting to earlier proceedings, more particularly proceedings made in the listing on 02.08.2021, learned counsel for fourth respondent submits that she has since got instructions from the fourth respondent.

4. Learned counsel submits that fourth respondent was relieved from duty vide proceedings of the second respondent dated 12.11.2010 and posted back in PAJANCOA & RI, Karaikal. It is also submitted that the fourth respondent has since superannuated on 31.05.2011. Learned counsel for fourth respondent has e-mail filed a memo to that effect together with memorandum and office order, scanned reproduction of which are as follows:





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IN THE HIGH COURT OF JUDICATURE AT MADRAS

(SPECIAL ORIGINAL JURISDICTION)

W.P.NO. 29572 OF 2008

Dr. N. Annamalai

..Petitioner

vs.

1. Government of Pondicherry
2. K. Sri Venkatesh Reddy
3. Chairman,  
Pondit Jawaharlal Nehru College  
Of Agriculture and Research
4. Dr. L. Radarajan

..Respondents

MEMO FILED BY THE 4<sup>th</sup> RESPONDENT

The 4<sup>th</sup> Respondent submits:

1. The 4<sup>th</sup> Respondent was relieved from duties in the K. Sri Venkatesh Reddy, 2<sup>nd</sup> Respondent, memo on 12.11.2010 and posted back in PAFUNICOL. The 4<sup>th</sup> Respondent herein submits letter of reprobation dated 12.11.2010 issued by the 2<sup>nd</sup> Respondent as annexure 1.
2. Thereafter, the 4<sup>th</sup> Respondent obtained superannuation on 31.05.2011 and thereafter retired from the services of the 2<sup>nd</sup> Respondent. The 4<sup>th</sup> Respondent is submitting letter dated 10.05.2011 issued by the 2<sup>nd</sup> Respondent as Annexure 2.
3. It is humbly submitted that as on 31.05.2011 the 4<sup>th</sup> Respondent has superannuated from the services of the 2<sup>nd</sup> Respondent.

It is therefore prayed that the Hon'ble Court do please to take on record this Memo and Annexures herein and grant proper justice.

Dated at Chennai this the 16<sup>th</sup> day of August, 2011.

COUNSEL FOR THE 4<sup>th</sup> RESPONDENT



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PAJANCO & RI, KARAIKAL COLLEGE OF AGRICULTURE AND  
RESEARCH INSTITUTE, NEEDUMAVILANDI ROAD, KARAIKAL.

Regd No: 27/1955/2, P. 27/1955/2/2010

02.05.2011

MEMORANDUM

To: PAJANCO & RI, Karikal - 605  
Dr. L. Natarajan, Professor of  
Entomology - Retirement - Order  
Issued

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Dr. L. Natarajan, Professor, Dept. of Agril. Entomology, PAJANCO &  
RI, Karikal is advised that Retirement on superannuation on the 24th March 2011.

24.03.2011

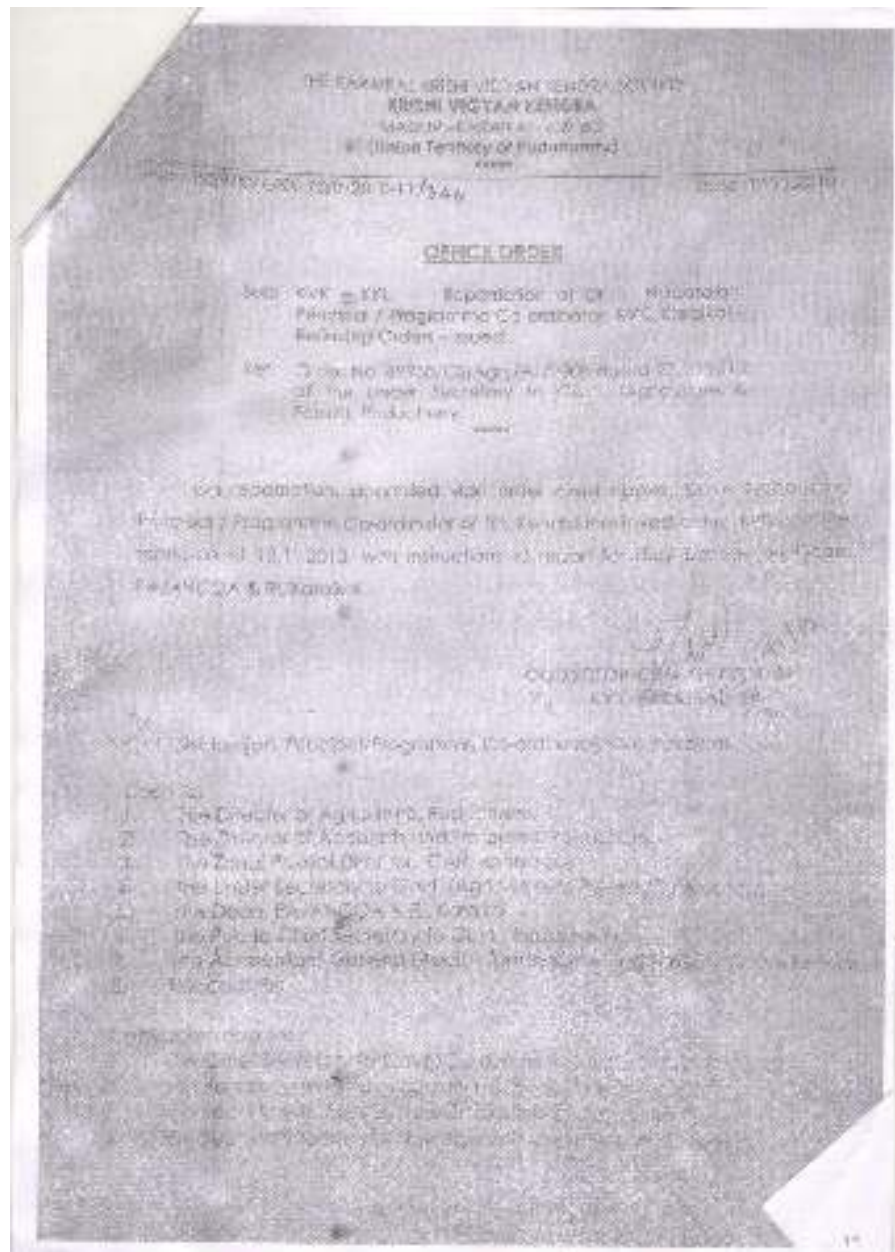
Dr. L. Natarajan, Professor,  
Dept. of Agril. Entomology,  
PAJANCO & RI, Karikal.

Copy to:

1. The Prof. and Dept. of Agril. Entomology
2. The Professor (Education) with a request to send the copy through C/ Communication.



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5. In the light of the trajectory the matter has taken, pending writ petition, it comes to light that nothing really survives in the writ petition, is learned counsel's say.

6. In this matter, learned counsel for writ petitioner and learned State counsel for Respondents 1 to 3 make it clear that there are no claims against the fourth respondent in the light of stated position of the fourth respondent.

7. Captioned writ petition is disposed of as closed recording the stated position of the fourth respondent making it clear that no views or opinions have been expressed on the



merits of the matter and all the questions raised in this writ petition are left open for being adjudicated, if the need arises in another matter of similar nature. There shall be no order as to costs.

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Sd/-  
Assistant Registrar (CS-III)

// True Copy//

Sub Assistant Registrar

gpa

To

1. The Secretary to Government,  
Government of Puducherry,  
Agriculture Department,  
Pondicherry.
2. The Chairman cum District Collector,  
Krishi Vidhyan Kendra,  
Karaikkal, Pondicherry
3. The Chairman,  
Pandit Jawarharlal Nehru College of Agriculture  
and Research Institute (PAJANCOA),  
Office of the Chief Secretary,  
Government of Puducherry,  
Pondicherry.

+1cc to M/s.US.Associates, Advocate, S.R.No.41319

+1cc to M/s.Srinath Sridevan, Advocate, S.R.No.41148

+1cc to the Government Pleader for Puducherry, S.R.No.41172

W.P.No.29572 of 2008

PMK (CO)  
SU (07/09/2021)