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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.07.2021

CORAM

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P.NO.30576 OF 2008

&

M.P.NOS.2 & 3 OF 2008

1. R.Karthikeyan
2. G.Chellapandian
3. M.Anbalagan
4. P.Sanavai
5. K.Mohan
6. R.Manoharan
7. R.Daniel Kalimuthu
8. P.Ramakrishnan

... Petitioners/Petitioners

.Vs.

1. The State Government of Tamil Nadu,  
Rep. by its Secretary,  
Municipal Administration and Water,  
Supply Department,  
Chennai - 600 009.
2. The Commissioner,  
Municipal Administration,  
Chepauk, Chennai - 5.
3. The Secretary,  
Health and Family Welfare Department,  
St.George Fort,  
Chennai - 600 009.
4. The Director of Handlooms and Textiles,  
Kuralagam, II floor,  
Chennai - 600 108.
5. The Managing Director,  
Tamilnadu Textiles Corporation Limited,  
Coimbatore - 18.
6. The Commissioner,  
Coimbatore Corporation,  
Coimbatore.

... Respondents/Respondents



PRAYER:-

The Writ Petition has been filed under Article 226 of the Constitution of India praying to issue a Writ of Certiorarified Mandamus, to call for the entire records pursuant to the G.O. (3D) No.845 dated 03.12.2008 on the file of the first respondent and quash the same and consequently direct the 1<sup>st</sup> respondent to pass appropriate orders for absorbing the petitioners herein by redeploying them under the 6<sup>th</sup> respondent in pursuant to the recommendations of the 2<sup>nd</sup> respondent passed in NA.Ka.No.77760/2000 MCA-3 dated 10.07.2002.

For Petitioner : Mr.S.Saravanan

For Respondents : Mr.C.Selvaraj,  
Government Advocate  
For R1 to 4

Mr.P.Saravana Kumar  
For R5

Mr.J.Sathya Narayana Prasad  
For R6

#### O R D E R

The writ petitioners sought for absorption by redeploying them in the 6<sup>th</sup> respondent pursuant to the recommendation of the 2<sup>nd</sup> respondent.

2. During the pendency of the matter, the request of the petitioners were considered and Government issued G.O.Ms.No.472 dated 22.11.2011 permitting the 6<sup>th</sup> respondent to appoint the petitioners as Computer-cum-Clerk granting exception to the other Government orders.

3. The counter affidavit filed by the 6<sup>th</sup> respondent reads as under:

"....

3. I submit that the above writ petition was filed to quash the G.O (3D) No.845 dated 03.12.2008 and to direct the first respondent to pass appropriate order for absorbing the petitioner herein by redeploying them under the 6<sup>th</sup> respondent (Coimbatore Corporation) in pursuant to the recommendation of the 2<sup>nd</sup> respondent passed in Na.Ka.No.77760/2000 MCA-3 dated 10.07.2002



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4. I submit that subsequently the Government has issued the Government Order G.O.Ms.No.472 dated 22.11.2011 granting permission to this respondent to appoint the petitioners as Computer-cum-Clerk in the pay scale of Rs.5200-20200+2800 by granting exception to the following

1. G.O.Ms.No. 932 Health and Family Welfare Department dated 03.04.1971 (Adhoc rules)

2. 1996 Tamilnadu Corporation services rules G.O.Ms.No.790 Labour and Employment Department dated 05.07.1971.

5. I submit that this respondent based on the above G.O.Ms.No.472 dated 22.11.2011 and the Coimbatore City Municipal Corporation appointments Committee resolution dated 28.12.2011 issued orders dated 29.12.2011 appointing the petitioners in the pay scale PB-1-Rs.5200-20200+2800."

From the statement made by the 6<sup>th</sup> respondent, it is clear that the prayer sought for the petitioners have been satisfied and nothing survives for adjudication any further. Taking the counter affidavit filed by the 6<sup>th</sup> respondent on file and recording the submission of the learned counsel for the 6<sup>th</sup> respondent, Mr.J.Sathyanarayan Prasad, the writ petition is closed as having become infructuous. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-  
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1. The Secretary,  
State Government of Tamil Nadu,  
Municipal Administration and Water,  
Supply Department,  
Chennai - 600 009.
2. The Commissioner,  
Municipal Administration,  
Chepauk, Chennai - 5.



3. The Secretary,  
Health and Family Welfare Department,  
St.George Fort,  
Chennai - 600 009.

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4. The Director of Handlooms and Textiles,  
Kuralagam, II floor,  
Chennai-600 108.

5. The Managing Director,  
Tamilnadu Textiles Corporation Limited,  
Coimbatore - 18.

6. The Commissioner,  
Coimbatore Corporation,  
Coimbatore.

+1cc to Mr.S.Saravanan, Advocate, S.R.No.35497

+1cc to the Government Pleader, S.R.No.36245

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M.P.NOS.2 & 3 OF 2008

SRA(CO)  
NSK/13/09/2021