

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 15.02.2021

CORAM

THE HON'BLE MR.JUSTICE R. SURESH KUMAR
Writ Petition No.8387 of 2009 & M.P.Nos.1 and 2 of 2009

R.Murugesan

... Petitioner

-Vs-

- 1.Government of Tamil Nadu, rep.by
Secretary to Government, School Education
Department, Secretariat, Chennai 600 009.
- 2.The Secretary to Government
Finance (Treasuries & Accounts) Department
Secretariat, Chennai 600 009.
- 3.The Director of Treasuries and Accounts
Chennai 600 015.
- 4.The District Treasury Officer
Salem.
- 5.The Joint Director of School Education
(Personnel), Directorate of School Education
Chennai 600 006.
- 6.The Teachers Recruitment Board
represented by its Chairman,
Chennai 600 006.

... Respondents

Prayer : Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus directing the respondents 2 to 4 to relieve the petitioner from the post of Accountant District Treasury Officer Salem so as to enable him to join duty in the post of B.T.Assistant in the School Education Department and to direct respondents 1 and 5 to allow the petitioner to joint the post of B.T.Assistant when he reports for joining the said post on his relief from the Treasuries and Accounts Department.

For Petitioner	:	Mr.M.Ravi
For Respondents	:	Mr.K.Magesh, Special Government Pleader

O R D E R

The prayer sought for herein is to direct the respondents 2 to 4 to relieve the petitioner from the post of Accountant in District Treasury Officer Salem so as to enable him to join duty in the post of B.T.Assistant in the School Education

Department and to direct respondents 1 and 5 to allow the petitioner to joint the post of B.T.Assistant when he reports for joining the said post on his relief from the Treasuries and Accounts Department.

2. The petitioner was working as Junior Assistant (Security) in the Treasuries and Accounts Department. During the year 2009, he was selected to the post of B.T.Assistant. Therefore, in order to join the new post, he wanted to get relieved from the present Department ie., the respondent Treasuries and Accounts Department. However, since he was not relieved, he had filed the present writ petition with the aforesaid prayer.

3. During the last hearing when the case was taken up for hearing, learned counsel for the petitioner as well as the learned Special Government Pleader for the respondents wanted to get instructions as to whether anything still survives for adjudication in the writ petition.

4. Accordingly the case is listed today and when it is taken up for hearing. Mr.Magesh, learned Special Government Pleader, on instructions, would submit that, the petitioner was not relieved from the present Department and subsequently he had been continuously working in the Department, where he was also given further promotion. After getting promotion, he is peacefully working and therefore the question of relieving him to join the School Education Department, which is the prayer sought for in the writ petition, does not arise.

5. In view of the said submission made by the learned Special Government Pleader that, the petitioner has been continuously working all these years in the respondent Department and he was not relieved and he has been working peacefully, the prayer sought for in the writ petition has virtually become infructuous.

6. Therefore, the writ petition is dismissed as no further orders are required to be passed in the writ petition. No costs. Consequently, connected miscellaneous petitions are also dismissed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

KST
To

1.The Secretary to Government, School Education Department,
Secretariat, Chennai 9.

2.The Secretary to Government, Finance (Treasuries & Accounts)
Department

<https://hcservices.ecourts.gov.in/hcservices/>
Secretariat, Chennai 600 009.

3.The Director of Treasuries and Accounts, Chennai 600 015.

4.The District Treasury Officer, Salem.

5.The Joint Director of School Education (Personnel),
Directorate of School

Education, Chennai 600 006.

6.The Teachers Recruitment Board

represented by its Chairman, Chennai 600 006.

+1 cc to Government Pleader Sr.No. 8790

W.P.No.8387 of 2009

A.SK(03.03.2021)