

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 05.01.2021
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.7617 of 2014

K.Asha

... Petitioner

Vs

1. The Collector,
Villupuram, Villupuram District.

2. Tmt.S.Punitha,
W/o Solai,
1/15, Pillayar Koil Street,
Gooduvampoondi, Gingee Taluk,
Villupuram District.

... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order of the first respondent in Na.Ka.No.PE4/4717/2012 dated 14.02.2014 and quash the same and direct the first respondent to appoint the petitioner in the place of the second respondent with effect from the date of the impugned order with all consequential benefits.

For Petitioner : Mr.P.Rajendran

For Respondents : Mr.P.Chinnadurai, AGP for R1
Mr.N.A.Nissar Ahmed for R2

ORDER

The prayer made in this writ petition is to issue a Writ of Certiorarified Mandamus, to call for the records relating to the order of the first respondent in Na.Ka.No.PE4/4717/2012 dated 14.02.2014 and quash the same and direct the first respondent to appoint the petitioner in the place of the second respondent with effect from the date of the impugned order with all consequential benefits.

2.Upon notice, the first respondent filed a detailed counter affidavit, wherein, it is inter alia stated that the first respondent invited applications and made selection as per the provisions contained in G.O.(D)No.72 Social Welfare and Nutritious Noon Meal (NMP2) Department, dated 30.04.2012; the

second respondent was found to be appropriate for the nature of work involved in the job, such as handling of accounts and stock independently and hence, the first respondent issued appointment order dated 14.02.2014; and accordingly, she joined duty on 05.03.2014. Thus, there is no mala fide intention, as far as the appointment of the second respondent for the said post is concerned.

3.Today, when the matter was taken up for consideration, the learned counsel for the petitioner sought permission of this Court to withdraw this writ petition, as the relief sought for herein has become infructuous.

4.In view of the submission so made by the learned counsel for the petitioner, permission is granted and the writ petition is dismissed as withdrawn. No costs.

Sd/-
Asst.Registrar (CS III)

/true copy/
Sub Asst. Registrar

msv

To
The Collector,
Villupuram, Villupuram District.

+1 cc to Mr.NA Nissar Ahmed Advocate sr731
+1 cc to Government Pleader High Court Madras
sr 521

W.P.No.7617 of 2014

aa04/03/2021

WEB COPY