

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.10805 of 2014
and W.M.P.No.23873 of 2016

S.Jothi

... Petitioner

Vs

1.The State of Tamilnadu, rep by
The Chief Secretary to the Government
Fort St. George, Chennai 600 009.

2. The State of Tamilnadu, rep. By
Secretary to the Government
Personnel and Administrative Reforms Department
Fort St George, Chennai 600 009

3. The Special Commissioner for the Physically Challenged
Model School Street, Thousand Lights,
Chennai 600 006.

4. The District Collector
Vellore District, Vellore

.... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the respondents to forthwith re-post the petitioners job, subject to his qualification and suitability in any of the Government Departments State owned Corporations etc. in pursuant to the GO Ms. No.10 dated 7.1.1994 on the file of the 2nd respondent as modified vide orders in Letter (Ms) No. 92/S/09 dated 22.7.2009 and in pursuant to the representation dated 29.8.2013.

For Petitioner : Mr.R.Selvakumar

For Respondents : Mr.P.Chinnadurai for R1 to R4
Additional Government Pleader

ORDER

The prayer made in this writ petition is to consider the petitioner's representation dated 29.08.2013 and to direct the respondents to forthwith re-post him, subject to his qualification and suitability, in any of the Government

Departments, State owned Corporations, etc., pursuant to G.O Ms. No.10 dated 7.1.1994, which was modified by order in Letter (Ms) No. 92/S/09 dated 22.7.2009.

2. Upon notice, the first and second respondents filed a detailed counter affidavit, inter alia stating that the guidelines referred to in the G.O.(Ms) No.10, Personnel and Administrative Reforms (S) Department, dated 07.01.1994 do not vest any enforceable right upon the Government Servant for appointment to new post / new Department. It is further stated therein that after the closure of Tamil Nadu Steels Limited, the petitioner as retrenched employee, had been given fresh appointment as Electrician in the Lawson Tea Factory, Valparai on sympathetic grounds and hence, the prayer made in this writ petition cannot be considered.

3. Today, when the matter was taken up for consideration, the learned counsel for the petitioner, on instructions, submitted that the relief sought for herein has become infructuous and hence, nothing survives for adjudication in this matter.

4. In view of the above submission made by the learned counsel for the petitioner, the writ petition is dismissed as having become infructuous. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

सत्यमेव जयते

msv

To

1. The Chief Secretary to the Government
The State of Tamilnadu,
Fort St. George, Chennai 600 009.

2. The Secretary to the Government
The State of Tamilnadu,
Personnel and Administrative Reforms Department
Fort St George, Chennai 600 009

3. The Special Commissioner for the Physically Challenged
Model School Street, Thousand Lights,
Chennai 600 006.

4. The District Collector
Vellore District, Vellore.

+1 cc to The Government Pleader Sr.No. 757

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and W.M.P.No.23873 of 2016

MGR (CO)
RMP (15/03/2021)



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