

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.01.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.21061 of 2014

&

MP.No.1 of 2014

B.Kader Maideen

... Petitioner

Vs

1. The Government of Tamil Nadu,
Rep.by its Principal Secretary,
Agriculture Department,
Secretariat, Chennai - 9.
2. The Chief Engineer,
(Agricultural Engineering)
Agricultural Engineering Department,
Anna Salai, Nandanam, Chennai - 35.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent herein to promote the petitioner as Superintending Engineer (Agricultural Engineering) on the basis of his suitability, well prior to the date of his retirement on attaining the age of superannuation i.e. on 31.08.2014 and grant him all consequential service and monetary benefits.

For Petitioner : Mr.M.Ravi

For Respondents : Mr.P.Chinnadurai, AGP

ORDER

This writ petition has been filed by the petitioner for a mandamus directing the first respondent to promote him as Superintending Engineer (Agricultural Engineering) and grant him all consequential service and monetary benefits.

2.The respondents filed a counter affidavit, inter alia stating that the petitioner was the candidate of the 1982-84 batch, who came from open market and his seniority position was

settled, as per the order of the Division Bench dated 28.07.2015. However, in view of the status quo granted by this Court on 29.08.2011, in a batch of cases relating not to effect promotion in the Agricultural Engineering Department, the petitioner was not given promotion. Thereafter, the status quo order was vacated on 28.07.2015 by the Division Bench. In the meantime, the petitioner retired from service. Hence, the prayer made in this writ petition cannot be met with.

3.Today, when the matter was taken up for consideration, the learned counsel for the petitioner submitted that during the pendency of this writ petition, the petitioner got superannuation. Hence, the learned counsel sought liberty to the petitioner to approach the authority concerned afresh for appropriate relief.

4.Granted such liberty to the petitioner, the writ petition stands closed. No costs. Consequently, the connected miscellaneous petition is also closed.

s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

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To

1. The Principal Secretary,
The Government of Tamil Nadu,
Agriculture Department,
Secretariat, Chennai - 9.
2. The Chief Engineer,
(Agricultural Engineering)
Agricultural Engineering Department,
Anna Salai, Nandanam, Chennai - 35.

+1 CC to The Government Pleader sr 3567

+1 CC to Mr.M.Ravi, Advocate sr 3958.

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BS(CO)
SP(02/03/2021)