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IN THE HIGH COURT OF JUDICATURE OF MADRAS

DATED: 20.07.2021

CORAM:

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.2163 of 2017

and

W.M.P.Nos.2134 to 2136 of 2017

RM.Palaniappan

... Petitioner

Vs

1. The Principal Secretary to  
Government of Tamil Nadu,  
Higher Education Department,  
Fort St. George, Chennai - 600 009.

2. The Commissioner of  
Technical Education,  
Guindy, Chennai - 600 025.

3. P.T. Lee Chengalvaraya Naicker Trust,  
Represented by the Secretary,  
Vepery, Chennai - 600 007.

... Respondents

PRAYER: Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus to call for the records connected with the impugned proceedings of the 2<sup>nd</sup> respondent bearing letter No.65305/C2/2016 dated 09.01.2017 and to quash the same, and direct the 3<sup>rd</sup> respondent to regularize the petitioner in the post of Principal.

For Petitioner : NA

For R1 & R2 : Mr.K.V.Sajeev Kumar  
Government Counsel

For R3 : Mr.M.R.Jothimanian

ORDER

By consent of both the parties, this writ petition is taken up for final disposal.

2. The petitioner herein claims appointment to the post of



Principal in the third respondent Trust-P.T. Lee Chengalvaraya Naicker Polytechnic College, Chennai.

3. The second respondent herein has filed a counter affidavit and in paragraph 11 of the counter, it is stated that the Staff Selection Committee of the third respondent had conducted an interview for the vacant post of Principal and based on the qualifications prescribed in G.O.Ms.No.111, Higher Education Department, dated 25.05.2010, appointment has also been given. At present, the post of Principal has been filled up and there are no vacancies. Hence, the claim of the petitioner cannot be considered at this point of time.

4. The learned counsel appearing for the third respondent also submitted that pending the writ petition, the petitioner herein had given a request for voluntary retirement on 27.04.2021 and the second respondent herein had approved the application on 03.05.2021 and forwarded the same to the third respondent, where it is pending.

5. There is no representation for the petitioner. Apparently, the petitioner herein seems to be not interested in getting along with the writ petition, in view of the aforesaid developments.

6. In view of the development of filling up the vacancy to the post of Principal and also the decision of the petitioner to voluntarily retire from services, no effective orders can be passed in this writ petition. Accordingly, the writ petition stands dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-  
Assistant Registrar(CO-VIII)

//True Copy//

Sub Assistant Registrar

hvk

To

1. The Principal Secretary to  
Government of Tamil Nadu,  
Higher Education Department,  
Fort St. George, Chennai - 600 009.



2. The Commissioner of  
Technical Education,  
Guindy, Chennai - 600 025.

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+1cc to Mr.M.R.Jothimanian, Advocate, S.R.No.34610  
+1cc to the Government Pleader, S.R.No.34996

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PCH(CO)  
CT(12/08/2021)