



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2021

CORAM:

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THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA
AND
THE HONOURABLE MRS.JUSTICE S.KANNAMMAL

W.A(MD)NO.1303 OF 2011 and
M.P(MD)No.1 of 2011

The Tamil Nadu Veterinary and Animal Sciences
University,
Represented by its Registrar,
Madhavaram Milk Colony,
Chennai -51.

...First Respondent/Appellant

.vs.

1.Dr.M.Nagoor Meeran
Associate Professor,
Tamil Nadu Veterinary and Animal Sciences University,
Veterinary University Training and Research Centre,
Nanjikottai Road,
Thanjavur.

... Petitioner/1st Respondent

2.The State of Tamil Nadu,
Represented by its Secretary,
Department of Higher Education,
Fort St.George,
Chennai -9.

...2nd Respondent/2nd Respondent

3.The Secretary to Government of Tamil Nadu,
Department of Animal Husbandry and Fisheries,
Fort St.George,
Chennai -9.

...3rd Respondent/3rd Respondent

PRAYER: Writ Appeal filed under Clause 15 of the Letters Patent Act praying this Court to set aside the order passed by this Court in W.P(MD)No.3573 of 2007, dated 09.09.2011.

Prayer in WP(MD).3573/ 2007 : Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondents herein to place him as associate professor with effect from 18/08/1997 and place him as professor with effect from 18/08/2005 with all attendant benefits in the respective cadre from the date of such placements.



For Appellant : Mr.S.Vijayakumar
For Respondent-1 : Mr.S.Xavier Rajini
For Respondents : Mr.M.Murugan,
2 and 3 Government Advocate

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JUDGMENT

[Judgment of the Court was made by **PUSHPA SATHYANARAYANA, J.**]

This Writ Appeal has been filed challenging the order passed by the learned Single Judge of this Court in W.P(MD)No.3573 of 2007, dated 09.09.2011, in allowing the above Writ Petition filed by the first respondent herein.

2.Heard the learned counsel appearing on either side and perused the materials placed before this Court.

3.When the matter is taken up for hearing today, a memo was filed by the learned counsel for the appellant, which reads as follows:

"It is submitted that the respondent herein submitted to this Court that he retired from service on 31.10.2019 and that the entire retirement benefits payable to him have been paid and nothing remains to be claimed from the University.

In the meanwhile, the appellant University was bifurcated in the year 2015 and consequently Tamil Nadu Dr.J.Jayalalitha Fisheries University, Nagapattinam was established, thereby the services of the respondent was transferred to the newly formed University.

It is also submitted that the respondent herein was elevated as Professor under Career Advacement Scheme in view of the G.O.Ms.No.274, Animal Husbandry, Dairying and Fisheries(AH6)Department, dated 25.10.2013, on completion of 17 years of service with Ph.D with effect from 18.08.2201.Consequent upon the same, the relief sought for in the Writ Petition by the respondent claiming Associate Professor with effect from 18.09.1997 and Professor with effect from 18.08.2005 have become infructuous."

4.The learned counsel for the first respondent also accepts the same.



5. In view of the same, this Court is of the view that nothing remains to be adjudicated further in this Writ Appeal. Accordingly, the Writ Appeal is dismissed as infructuous. No costs. Consequently, connected Miscellaneous Petition is dismissed

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Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

VSN

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate / litigant concerned.

To

1. Dr. M. Nagoor Meeran
Associate Professor,
Tamil Nadu Veterinary and Animal Sciences University,
Veterinary University Training and Research Centre,
Nanjikottai Road, Thanjavur.

2. The Secretary,
Government of Tamil Nadu,
Department of Higher Education,
Fort St. George, Chennai -9.

3. The Secretary to Government of Tamil Nadu,
Department of Animal Husbandry and Fisheries,
Fort St. George, Chennai -9.

+1 CC to THE SPECIAL GOVERNMENT PLEADER (SR-9212[F] dated 05/03/2021)
+1 CC to Mr. XAVIER RAJINI, Advocate (SR-8959[F] dated 05/03/2021)
+1 CC to Mr. S. VIJAYA KUMAR, Advocate (SR-9338[F] dated 08/03/2021)

JUDGMENT MADE IN
W.A (MD) NO.1303 of 2011 and
M.P (MD) No.1 of 2011
04.03.2021

NA (CO)

SRS (12/03/2021) 3P : 7C

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