



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 16.03.2021

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P. (MD)No.20412 of 2017

and

W.M.P. (MD) .No.16679 of 2017

P.Muthuvel

.. Petitioner

Vs

1.The State of Tamil Nadu,
Rep. by its Secretary to Government,
Department of Co-operation,
Food and Consumer Production,
Fort St.George, Chennai-9.

2.The Tamil Nadu Civil Supplies Corporation,
Rep. by its Managing Director,
No.12, Tambusamy Road,
Kilpauk, Chennai-10.

3.G.Gunaseelan

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents 1 & 2 to consider the petitioner for promotion to the post of Executive Engineer strictly in accordance with the terms of the Employees Service Regulations, 1989 within the period that may be stipulated by this Court.

For Petitioner : Mr.M.Ajmalkhan
Senior Counsel
for M/s.Ajmal Associates

For Respondent No.1 : Mr.A.Karthick
Government Advocate

For Respondent No.2 : Mr.A.K.Baskara Pandian

For Respondent No.3 : No appearance

O R D E R

This Writ Petition has been filed for a direction to the respondents 1 & 2 to consider the petitioner for promotion to the post of Executive Engineer strictly in accordance with the terms of the Employees Service Regulations, 1989, within a time limit.



2. The case of the petitioner is that the petitioner was initially appointed as Assistant Draughtsman in the year 1992 and later promoted as Assistant Executive Engineer in the office of Tamil Nadu Civil Supplies Corporation, Thanjavur. The next avenue of promotion is the post of Executive Engineer (Construction Wing). The said post of Executive Engineer is governed by the Employees Service Regulation, 1989. As per Part III Class 1(2), which contemplates about the mode of recruitment and qualification, the petitioner possessed all the required qualification, however, he was not granted promotion thereby, the present writ petition is filed.

3. The learned counsel for the petitioner reported no instruction.

4. The learned counsel appearing for the second respondent would submit that pending writ petition, the writ petitioner was already promoted to the post of Executive Engineer in the year 2018 and now he is working as Executive Engineer. Hence, nothing survives in this writ petition for further adjudication.

5. Recording the said submission, this Writ Petition stands closed. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar (CS-III)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

PJL

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

The State of Tamil Nadu,
Rep. by its Secretary to Government,
Department of Co-operation,
Food and Consumer Production,
Fort St. George, Chennai-9.



+1 CC to M/s.B.SARAVANAN, Advocate (SR-11671[F] dated 17/03/2021

+1 CC to M/s.AJMAL ASSOCIATES, Advocate (SR-11809[F] dated 17/03/2021)

+1 CC to M/s.SPL GP (SR-11867[F] dated 17/03/2021)

**W.P. (MD) .No.20412 of 2017
16.03.2021**

RK (21.04.2021) 3P 5C