



W.A.No.523 of 2020

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.11.2023

CORAM :

**THE HONOURABLE MR. JUSTICE R.SURESH KUMAR
and
THE HONOURABLE MR.JUSTICE G.ARUL MURUGAN**

**W.A.No.523 of 2020
and C.M.P.No.7636 of 2020**

Commissioner of Labour
O/o The Commissioner of Labour
DMS Compound, Teynampet
Chennai 600 006.

... Appellant

-Vs-

1.D.Gnanavel

2.L.Thirunandan

Assistant Commissioner of Labour
Krishnagiri.

... Respondents

Prayer : Writ Appeal under Clause 15 of the Letters Patent against the order in
W.P.No.29566 of 2019 dated 06.11.2019.

For Appellant	:	Mr.K.V.Sajeev Kumar Special Government Pleader
For Respondents	:	Mr.L.Chandrakumar - for R2 Mr.K.S.Ramesh Kumar - for R1

J U D G M E N T

(Judgment of the Court was delivered by **R.SURESH KUMAR, J.**)

This writ appeal has been directed against the order passed by the writ Court made in W.P.No.29566 of 2019 dated 06.11.2019. Before the writ Court, the first respondent herein had filed the writ petition questioning the transfer given to the



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second respondent as Assistant Commissioner of Labour in the place of the writ petitioner. The writ Court, by order impugned dated 06.11.2009 set aside the said order on the ground that the second respondent in the writ petition as well as herein did not qualify to hold the post as prescribed under Rule 28(1) and 28(3) of the Legal Metrology Rules, 2011.

2. As against the said order, though the Commissioner of Labour ie., the first respondent in the writ petition filed the present appeal, the second respondent in the writ petition as well as herein did not file any appeal.

3. In the meanwhile, during the pendency of this appeal since both of them have qualified to hold the post concerned, they have been considered and transferred and posts were given. Accordingly, the first respondent D.Gnanavel who was the writ petitioner herein had been transferred and posted at Vellore and the second respondent herein L.Thirunandan had been transferred and posted at Namakkal. Both are working in their respective places.

4. Therefore, the learned Special Government Pleader as well as the learned counsel appearing for the second respondent have submitted that, as of now nothing survives in this writ appeal to be further adjudicated.



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5. In view of the said development, and having taken note of the submissions made by the learned counsel for both sides, this Court feels that this writ appeal can be disposed of accordingly as no further adjudication is required. Accordingly, it is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

(R.S.K., J.) (G.A.M., J.)
23.11.2023

Index : Yes/No
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