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W.P.No.20927 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.11.2023

CORAM

THE HONOURABLE MR. JUSTICE Dr.D.NAGARJUN

W.P.No.20927 of 2013

Er.R.Devarajan B.E.

... Petitioner

Vs.

1. Secretary To Government (P & AR),
Fort St. George, Chennai 9.

2. Secretary To Government,
Public Works Department,
Fort St.George, Chennai 9.

3. Chief Engineer (General And Building),
Public Works Department,
Chepauk, Chennai-5.

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Ceriorarified Mandamus, to call for the records made in the impugned letter No. C1(2)/10015/2012-6 dated 14.3.2013 issued by the 3rd respondent, quash the same and further direct the respondents to included the name of the petitioner as Item No.52 in the Panel for promotion for Executive Engineer (Civil) for the year 2012-2013 in G.O. (2D) No.95 Public Works (A1) Department dated 8.11.2012, thereby promoting the petitioner as Executive Engineer (Civil) before promoting his immediate juniors.



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For Petitioner : No Appearance
For Respondents : M/s.C.Sangamithirai,
Special Government Pleader

ORDER

This writ petition is filed seeking for a direction to the third respondent to include the name of the petitioner in the panel for promotion of the Executive Engineers (Civil) of the year 2012-13 in G.O.(2D).No.95 Public Works (A1) Department dated 08.11.2012.

2. There is no representation on behalf of the petitioner. Even on earlier occasion also there was no representation on behalf of the petitioner, thereby, this writ petition is listed under the caption “for dismissal” .

3. Learned counsel representing the respondents is present and submitted that a detailed counter affidavit has been filed wherein it is mentioned clearly that the name of the petitioner was not included in the panel for the year 2012-13 as the punishment imposed on the petitioner in a disciplinary proceedings was under currency. The petitioner has also submitted details of the disciplinary proceedings and currency of



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punishment in its counter affidavit.

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4. It is further submitted by the learned counsel for the respondent that after expiry of the currency of the punishment period, the petitioner's name was included in the concerned panel for the year 2013-14 and accordingly, he has already been promoted.

5. Considering the submissions of the learned counsel for the respondent, it appears that since the petitioner has already been promoted and the cause does not survive any more, the petitioner has lost his interest in prosecuting the case.

6. Accordingly, the writ petition stands **dismissed** for non prosecution. However, there shall be no order as to costs.

08.11.2023

Index : Yes
Speaking Order
Neutral Citation : Yes
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Dr.D.NAGARJUN. J.,

(sha)

To

1. Secretary To Government (P & AR),
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2. Secretary To Government,
Public Works Department,
Fort St.George, Chennai 9.
3. Chief Engineer (General And Building),
Public Works Department,
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