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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.04.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 10530 of 2023
and
W.M.P. No. 10474 of 2023

S. Ranjithkumar … Petitioner

-vs-

1. The District Revenue Officer,
   Nilgiris District,
   Nilgiris.

2. The District Welfare Officer,
   Adi Dravidar and Tribal Welfare Department,
   Nilgiris District. ... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents not to disturb the employment of the Petitioner and not to remove the Petitioner from the service as Cook on the ground of that the Petitioner crossed the maximum age limit in the light of the decision taken by this Hon'ble Court in W.P. (MD) Nos. 15743, 17014, 17025, 17056 and 17063 of 2022 dated 24.11.2022.

For Petitioner : Mr. V.Elangovan

For Respondents : Mr. S.Rajesh,
Government Advocate

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O R D E R

Heard Mr. V.Elangovan, Learned Counsel for the Petitioner and Mr. S.Rajesh, Learned Government Advocate appearing for the Respondents and perused the materials placed on record apart from the pleadings of the parties.

2. This Writ Petition has been filed for directing the Respondents not to disturb the employment of the Petitioner and remove him from service as Cook on the ground that he has crossed the maximum age limit in view of the order dated 24.11.2022 in W.P. (MD) No. 15743 of 2022 etc., batch passed by this Court.

3. Having regard to the said relief claimed, it is beyond any pale of doubt that a mere contemplation or possibility that a right may be infringed without any legitimate basis for that right cannot give rise for a cause of action. In such circumstances, Learned Counsel for the Petitioner seeks permission of the Court to withdraw the Writ Petition reserving the rights of the Petitioner to work out his remedies before the proper forum, as and when the necessity

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arises, in accordance with law. He has made an endorsement to that effect in the court record.

In fine, the Writ Petition is dismissed as withdrawn with the aforesaid clarifications. Consequently, the connected Miscellaneous Petition is closed. No costs.

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Index: Yes/No
Neutral Citation: Yes/No

Note: Issue order copy by 26.07.2023

To

1. The District Revenue Officer,
   Nilgiris District,
   Nilgiris.

2. The District Welfare Officer,
   Adi Dravidar and Tribal Welfare Department,
   Nilgiris District.

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P.D. AUDIKESAVALU, J.

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