



W.P.No.22058 of 2022 and W.M.P. No.21055 of 2022

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2023

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THE HONOURABLE MS.JUSTICE V.M.VELUMANI
and

THE HONOURABLE MRS.JUSTICE R.HEMALATHA

W.P.No.22058 of 2022

&

W.M.P. No.21055 of 2022

Dr.N.Senthil Kumar,

... Petitioner

Vs.

1.Union of India,
Represented by the Secretary,
Ministry of Personnel, Public Grievances and Pensions,
Department of Personnel and
Training Department (DoPT),
New Delhi - 110 001.

2.Appointment Committee of the Cabinet,
Represented by the Secretary & Establishment Officer
Ministry of Personnel, Public Grievances and Pensions,
Department of Personnel and
Training Department (DoPT),
New Delhi - 110 001.

3.The Ministry of Environment, Forests and
Climate Changes Department,
Represented by the Secretary to



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Government of India,
New Delhi - 110 003.

4.The Government of Tamil Nadu
Represented by Secretary to Government,
Environment, Forests (FR.A) Department,
Secretariat, Chennai - 9.

5.The Central Administrative Tribunal,
Represented by Registrar,
Chennai Bench.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the official respondents 1 to 4 to keep the proceedings issued by the second respondent in 37/19/2018-EO (SM-I) dated 30.06.2022 in abeyance and allow the petitioner to continue to serve in the same post and station till the disposal of the Original Application OA No.525 of 2022 on the file of the fifth respondent herein.

For Petitioner	: Mr.I.Kabilan for Mr.M.Ravi
For R1 to R3	: Mr.Chandrasekaran
For R4	: Dr. T. Seenivasan Special Government Pleader
R5	: Tribunal



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ORDER

(Order of the Court was delivered by V.M.Velumani,J.)

The petitioner has come out with the present Writ Petition for a direction to the official respondents 1 to 4 to keep the proceedings issued by the 2nd respondent in 37/19/2018-EO (SM-I) dated 30.06.2022 in abeyance and allow the petitioner to continue to serve in the same post and station till the disposal of the Original Application in OA No.525 of 2022 on the file of the fifth respondent herein.

2. Heard the learned counsel appearing for the petitioner, learned counsel appearing for the respondents 1 to 3 as well as the learned Special Government Pleader appearing for the 4th respondent and perused the entire materials on record.

3. The petitioner was appointed as IFS officer, Nagaland Cadre in the year 2006. Due to his family circumstances, he requested for Inter-Cadre deputation for 3 years from Nagaland Cadre to Tamil Nadu. The



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said request was considered by the 1st respondent and an order dated 18.02.2019 was issued to that effect. Based on that, the Principal Secretary to Government of Nagaland, Environment, Forests and Climate Change Department, Nagaland, by notification dated 26.02.2019, relieved the petitioner from the post of Conservator of Forests, Research, Planning and Utilization (current charge), Dimapur, Nagaland, with immediate effect to enable him to join in the new assignment with the Government of Tamil Nadu.

4. According to the petitioner, as per order dated 26.02.2019, he joined as District Forest Officer, Tuticorin, and thereafter he was promoted as Conservator of Forests, Tirunelveli, and now he is working as Conservator of Forests and Field Director, KMTR, Tirunelveli. Due to various ailments of his father-in-law and mother-in-law and a major surgery underwent by his wife due to an accident, he gave an application dated 11.08.2021 to the 1st respondent for extension of his Inter-Cadre deputation for a further period of two years beyond 05.03.2022. Though



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the Government of Tamil Nadu and State Government of Nagaland have granted no objection, the respondents 1 to 3 did not pass any orders on his representation dated 11.08.2021. Therefore, the petitioner filed O.A.No.310/00123/2022 before the Central Administrative Tribunal, Chennai Bench. The Central Administrative Tribunal, Chennai Bench, by order dated 28.02.2022, directed the 1st respondent to consider the representation of the petitioner dated 11.08.2021 and pass a speaking order. Subsequent to the order passed by the Central Administrative Tribunal, Chennai Bench, the 2nd respondent passed an order dated 30.06.2022 rejecting the request of the petitioner for extension of Inter-Cadre deputation for a further period of two years. Challenging the said order, the petitioner has filed O.A. No.525/2022 before the Central Administrative Tribunal, Chennai Bench, raising various legal grounds. The petitioner has also sought for an interim order of stay of the order dated 30.06.2022 passed by the 2nd respondent. The Central Administrative Tribunal, Chennai Bench, has not granted any interim stay of the order dated 30.06.2022 passed by the 2nd respondent. Hence, the



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petitioner has come out with the present Writ Petition seeking for the relief as prayed for.

5. Learned counsel appearing for the 1st respondent submitted that the Writ Petition has become infructuous as the petitioner was relieved on 30.08.2022 from Tamil Nadu and he joined duty in Nagaland and hence nothing survives in the Writ Petition. He further submitted that the respondents 1 to 3 have also filed reply in O.A.No.525/2022.

6. In view of the above, the learned counsel appearing for the petitioner seeks a direction to the Central Administrative Tribunal, Chennai Bench, for a speedy disposal of the application in O.A.No.525/2022.

7. Considering the above submission, the Central Administrative Tribunal, Chennai Bench, is directed to dispose of O.A.No.525/2022 as expeditiously as possible, in any event within a period of six (6) months from the date of receipt of a copy of this order.



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8. With the above directions, the Writ petition is disposed of.

No costs. Consequently connected miscellaneous petition is closed.

(V.M.V.,J.) (R.H.,J.)

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Index: Yes/No
Internet: Yes/No
Speaking/Non-Speaking order
bga

To,

1.Union of India,
Represented by the Secretary,
Ministry of Personnel, Public Grievances and Pensions,
Department of Personnel and
Training Department (DoPT),
New Delhi - 110 001.

2.Appointment Committee of the Cabinet,
Represented by the Secretary & Establishment Officer
Ministry of Personnel, Public Grievances and Pensions,
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Represented by the Secretary to
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4.The Government of Tamil Nadu
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Environment, Forests (FR.A) Department,
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5.The Central Administrative Tribunal,
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V.M.VELUMANI, J.
and
R. HEMALATHA, J.
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