



W.P. No.26119 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated 13.10.2023

CORAM:

THE HONOURABLE MR. JUSTICE D.KRISHNAKUMAR
and
THE HONOURABLE MR. JUSTICE P.DHANABAL

W.P. No.26119 of 2019
and WMP.Nos.25492 and 25495 of 2019

Dr.Raju Narayana Swamy, IAS
Chairman (Under Repatriation)
Coconut Development Board
Kera Bhavan, SRVHS Road
Ernakulam South
Kochi 682 011.

.. Petitioner

Versus

- 1.The Union of India,
Rep.by its Secretary
Department of Personnel & Training
New Delhi 110 001.
- 2.The Secretary to the Department of Agriculture, Cooperation
and Farmers Welfare
Ministry of Agriculture, Cooperation and Farmers Welfare
New Delhi 110 001.
- 3.Mr.Dinesh Kumar
Joint Secretary
Mission for Integrated Development of Horticulture (MIDH)
Department of Agriculture, Cooperation and Farmers Welfare
New Delhi 110 001.



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4.Mr.BNS Murthy

Horticulture Commissioner

Department of Agriculture, Cooperation and Farmers Welfare,
New Delhi 110 001.

5.Mr.Hemachandra

Formerly Director, Regional Office

Coconut Development Board

Bangalore

Permanent residential address

No.363, 4th Main, 2nd Cross, First Stage,

Vijaya Nagar, Mysore 571 017.

6.Coconut Development Board

Rep.by Secretary

Kera Bhavan

SRVHS Road

Ernakulam South

Kochi 682 011.

7.Mrs.V.Usha Rani, I.A.S.,

Holding Addl.Charge as Chairman

Coconut Development Board

Kera Bhavan

SRVHS Road

Ernakulam South

Kochi 682 011.

8.The Registrar

Central Administrative Tribunal

Madras Bench

Chennai 600 104.

.. Respondents



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PRAYER: Writ Petition filed under Article 226 of the Constitution of India seeking to issue a Writ of Certiorarified Mandamus, to call for the records relating to the impugned order passed by the 8th respondent in OA/310/01011/2019 dated 22.08.2019 and to quash the same and consequently directing the respondents 1 & 2 to allow the petitioner to continue in the post of Chairman of the Coconut Development Board for the tenure of 2 years as contemplated in the Cadre Rules or 5 years as contemplated in the Coconut Development Board Rules, 1981, as amended vide Notification dated 28.05.2010 with all consequential and other attendant benefits.

For petitioner : Mr.J.Srinivasa Mohan
for M/s.TVJ Associates

For respondents : Dr.G.Babu, for R1 & R2
Mrs.S.Kala, for R5
Mr.Su.Srinivasan, for R6
R8-Tribunal

ORDER

(The Order of the Court was made by D.KRISHNAKUMAR, J)

This petition has been filed to quash the order passed by the eighth respondent in OA/310/01011/2019 dated 22.08.2019.



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2. The petitioner was selected for Indian Administrative Service (IAS) through UPSC in 1991 and allotted to Kerala Cadre. He rendered more than 27 years of unblemished service. When the Government of India issued a notification for the post of Chairman of Coconut Development Board, the petitioner applied for the same and got selected and assumed the charge on 08.08.2018. However, the petitioner was relieved from the said post on 07.03.2019. Alleging that he was prematurely repatriated in an arbitrary manner, he filed OA.No.1011 of 2019.

3. The contention of the petitioner before the Tribunal is that there was a premature repartition to the parent body and as per the notification, he has not completed his full tenure. The said contention of the petitioner was negated by the Tribunal and dismissed the said Original Application. Hence, the present writ petition is filed.

4. The learned counsel appearing for the petitioner submitted that he sent a letter to the petitioner seeking instruction, but he has not received any communication from him.



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5. The learned Standing Counsel appearing for the sixth respondent would submit that the prayer sought for by the petitioner has now become infructuous as the said post can now only be filled by a non IAS officer. He further submitted that the petitioner is now working as Additional Secretary, Parliamentary Affairs of Kerala. Therefore, the prayer sought for in this Writ Petition has become infructuous.

6. Considering the facts and the submissions of the learned counsels appearing on either side, this Court is of the view that no further adjudication is required in the Writ Petition. Accordingly, the Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petitions are closed.

[D.K.K., J] [P.D.B., J.]
13.10.2023

Speaking order: Yes/No
Index : Yes/No
pvs

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To

1. The Secretary

Department of Personnel & Training

New Delhi 110 001.

2. The Secretary to the Department of Agriculture, Cooperation
and Farmers Welfare

Ministry of Agriculture, Cooperation and Farmers Welfare

New Delhi 110 001.

3. The Joint Secretary

Mission for Integrated Development of Horticulture (MIDH)

Department of Agriculture, Cooperation and Farmers Welfare

New Delhi 110 001.

4. The Horticulture Commissioner

Department of Agriculture, Cooperation and Farmers Welfare

New Delhi 110 001.

5. The Secretary

Coconut Development Board

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