



W.A.No.1317 of 2019

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.08.2023

CORAM

THE HON'BLE Mr. JUSTICE R.SURESH KUMAR
AND
THE HON'BLE Mr. JUSTICE K.KUMARESH BABU

W.A.No.1317 of 2019
and
C.M.P.No.8968 of 2019

1.The Government of Tamil Nadu,
rep. By its Principal Secretary,
Home (Transport IV) Department,
Fort St. George,
Chennai – 9.

2.The Transport Commissioner,
Chepauk, Chennai – 5.

... Appellants

Vs.

1.S.Ramaligam
2.R.Suresh
3.K.Shanthi
4.M.S.Karunai Prakash
5.P.Pandian
6.K.Veeraputhiran
7.V.Loganayaki

... Respondents

Prayer : Appeal filed under Clause 15 of the Letters Patent Act, praying
to set aside the order dated 23.08.2017 in W.P.No.31452 of 2014.



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For Appellants : Mr.K.V.Sajeev Kumar
Special Government Pleader

For Respondents : Mr.K.Raja

JUDGMENT

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

This appeal has been directed against the order passed by the Writ Court dated 23.08.2017 in W.P.No.31452 of 2014.

2. The contesting respondents herein were working as Assistant in the Transport Department and their next promotion avenue is Superintendent.

3. For having such promotion the experience / qualification prescribed were sought to be relaxed as some similarly placed persons like the contesting respondents have been given the benefit, the same benefit is also sought for and in this regard they approached the Writ Court for filing the said writ petition seeking for writ of mandamus and to include them in the panel year 2014-2015 for promotion to the post of Superintendent.



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4. Considering the said case projected by the contesting respondents who stood as writ petitioners before the writ Court, the learned Judge by order dated 23.08.2017 allowed the said writ petition, as against which, this writ appeal has been directed.

5. Today when the writ appeal is taken up for hearing, Mr.K.V.Sajeev Kumar, learned Special Government Pleader appearing for the appellants has submitted that, during the pendency of this writ appeal, having considered the order passed by the learned Single Judge, the Department i.e. the appellant having considered the promotions of the contesting respondents and similarly placed other persons numbering about 29 had issued proceedings on 20.06.2019, whereby, all the respondents herein except the 3rd respondent had been considered and granted promotion by giving relaxation to the post of Superintendent for the panel year 2016-2017.

6. Insofar as the 3rd respondent K.Shanthi is concerned, since she is no more, the question of giving any promotion to her does not arise, he contended.



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7. The said position cannot be controverted by the learned counsel appearing for the contesting respondents.

8. In view of the above, where the prayer sought for in the writ petition as has been allowed by the learned Judge since has been accomplished by virtue of the order of the appellant Department dated 20.06.2019, nothing could be persuaded further in this writ appeal. In view of the same, we feel that this writ appeal can be disposed, accordingly it is disposed of by recording the aforesaid development. No costs. Consequently, connected miscellaneous petition is closed.

[R.S.K., J.] [K.B., J.]
16.08.2023

Index : Yes/No

Speaking Order : Yes/No

Neutral Citation : Yes/No

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