



W.P.(MD)No.4707 of 2016

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 26.04.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P(MD).No.4707 of 2016

and

W.M.P(MD).No.4524 of 2016

S.Periyasamy

... Petitioner

Vs.

1.The Director,
Agricultural Marketing and Agri Business
Department,
Guindy, Chennai-32.

2.The Secretary,
The District Agricultural Marketing Committee,
W/4-B7/215, Periyakulam Road,
Theni 626 531.

3.The Secretary,
Madurai District,
Agricultural Marketing Committee,
Madurai.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Certiorarified Mandamus call for the records of the first respondent in his proceedings letter No.Ve.Ku.Pa.2/8521/2015 dated 02.07.2015 and quash the same and consequently direct respondents to provide the notional



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promotion in the pose of Supervisor in the respondent Department and provide other monetary benefits which is eligible to the petitioner.

For Petitioner :Mr.S.Karthik

For Respondents :Mr.S.R.A.Ramachandran
Additional Government Pleader

ORDER

The present writ petition has been filed challenging the impugned order dated 02.07.2015 with a consequential relief to grant promotion to the post of Supervisor and Monetary benefits.

2. Today, when the matter is taken up for hearing, it is submitted that pending the writ petition, the petitioner died.

3. This Court is of the view that since it is a case challenging the promotion, which is individual right of the deceased person and the legal heirs of the petitioner have no right to contest the case. Moreover, there is no accrued rights to the deceased employee and hence the writ petition cannot be proceeded



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by the legal heirs. Accordingly, this writ petition is dismissed as abated. There shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

26.04.2023

NCC : Yes / No
Index : Yes / No
Internet : Yes / No

sbm

To

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Guindy, Chennai-32.
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