



W.P.No.2797 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

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THE HON'BLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.2797 of 2012

P.R.Manoharan

... Petitioner

Vs.

1.The Secretary
Employment (MI F-2) Department
Secretariat, Fort St.George
Chennai – 600 009.

2.The Commissioner
Municipal Administration
Chennai – 5.

3.The Commissioner
Tirpathur Municipal
Tirpathur.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records of the 2nd and 3rd respondents in proceeding of the 3rd respondent in ROC No.691/2008/C1 dated 27.12.2010 consequent to the proceedings of the 2nd respondent in ROC No.46605/2008/K3 dated 04.12.2010 quash the same and



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direct the respondents to appoint the petitioner as Junior Assistant in the 3rd respondent Municipality in obedience to the order of this Court in W.P.No.21032/2005.

For Petitioner : No appearance

For Respondents : Mr.R.U.Dinesh Rajkumar
AGP

ORDER

There is no appearance on behalf of the petitioner.

2. It is seen that the petitioner is aged about 55 years at the time of filing the present Writ Petition in the year 2011. The case of the petitioner is that, after he was permitted to go on Voluntary Retirement from Service, the Government passed an order to rehabilitate those persons working in the said organization viz., Tamil Nadu Steel Limited, be absorbed in the suitable vacancies in other Public Sector Undertakings. While so one vacancy of Junior Assistant arose in the respondent – Municipality. Even though the petitioner's case was initially directed to be considered, ultimately when the proposal reached the Commissioner of Municipal Administration, the claim of the petitioner was negated. The same was done in spite of the earlier directions, in the case filed by the petitioner and other similarly situated persons. In any



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event, as stated above, any relief to absorb the petitioner cannot be granted and any relief to grant re-employment or fresh employment as Junior Assistant cannot be granted at this point of time and efflux of time, the relief sought in the Writ Petition has become infructuous.

3. Accordingly, the Writ Petition stands dismissed as having become infructuous. No costs.

26.02.2024

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Index: Yes/No

Speaking Order: Yes/No

Neutral Citation: Yes/No

To

1.The Secretary

Employment (MI F-2) Department

Secretariat, Fort St.George

Chennai – 600 009.

2.The Commissioner

Municipal Administration

Chennai – 5.

3.The Commissioner

Tirpathur Municipal

Tirpathur.



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D.BHARATHA CHAKRAVARTHY, J.,

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