



Writ Petition No.30698 of 2013

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2024

CORAM

THE HON'BLE MR JUSTICE D.BHARATHA CHAKRAVARTHY

Writ Petition No.30698 of 2013

and

MP.No.1 of 2013

M.Ashok Kumar

... Petitioner

Vs.

1.The Joint Commissioner,
Archives & Historical Research,
50-51, Gandhi Irwin Road,
Egmore, Chennai – 600 008.
(in-charge of Commissioner of
Archives & Historical Research)

2.The Assistant Commissioner (Personnel)
Archives & Historical Research,
50-51, Gandhi Irwin Road,
Egmore, Chennai – 600 008.

... Respondents

Prayer: This writ petition is filed under Article 226 of the Constitution of India, with a prayer to issue a writ of certiorarified Mandamus, calling for the records pertaining to the order passed by the 1st respondent in her proceedings No.2119/Nir.2/2013 dated 31.10.2013 and quash the same and direct the respondents to confer all the consequential benefits to the petitioner.

For Petitioner : Mr.P.Ganesan



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For Respondents : Mr.V.Manoharan
Additional Government Pleader

ORDER

The writ petition challenges the order dated 31.01.2013 in an by which the petitioner was reverted to the post of Superintendent from the post of Research Assistant. Challenging the same, the present writ petition is filed.

2. The petitioner was working as a Research Assistant at the Office of Commissioner Archives & Historical Research, Egmore, Chennai. While so vide order dated 21.09.2013, he was transferred to the Archives at Cuddalore. Feeling aggrieved by the said transfer order, petitioner approached this Court by way of W.P.No.27803 of 2013 vide order dated 11.10.2013, this Court granted an order of interim stay. Thereafter the impugned order passed, stating that as far as the post of Research Assistant is concerned, the post was sanctioned only up to 31.10.2013. Only to avoid reversion, the petitioner was transferred to Cuddalore. Thus however, petitioner himself got an order of interim stay and therefore, he was not transferred to Cuddalore. Since the extension of



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the post is not granted by the Government, they are reverting the petitioner from the post of Research Assistant to that of the Superintendent.

3. Be that as it may, pending the writ petition, again the 1st Respondent had granted approval and extension of the said post of Research Assistant and the petitioner was again accommodated in the same post with effect from 01.11.2013.

4. Therefore in view of the same, the challenge to the present order would only remain academic and thus in view of the subsequent development and efflux of time, no further order needs to be passed in the present writ petition and the same stands disposed of. There shall be no order as to costs. Connected Miscellaneous Petition is closed.

27.02.2024

Speaking Order/Non-speaking Order

Index :Yes/No

Neutral citation: Yes/No

nst



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D.BHARATHA CHAKRAVARTHY, J.

nst

To:

- 1.The Joint Commissioner,
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50-51, Gandhi Irwin Road,
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(in-charge of Commissioner of
Archives & Historical Research)
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