



WEB COPY



W.P. No.8064 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.08.2024

CORAM :

THE HONOURABLE MR. JUSTICE MUMMINENI SUDHEER KUMAR

W.P.No.8064 of 2012

and

W.M.P.No.2 of 2012

Tamilnadu Water Supply & Drainage
Board Accounts Officials Associations,
31, Kamarajar Salai, Chennai – 600 005
Rep. by its General Secretary

... Petitioner

Vs.

1.Tamilnadu Water Supply & Drainage Board,
Rep. by its Managing Director
31, Kamarajar Salai,
Chepauk,
Chennai – 600 005.

2.Secretary to Government,
Government of Tamilnadu,
Municipal Administration and
Water Supply Department,
Fort St. George,
Chennai – 600 009.

3.The Managing Director,
Tamilnadu Water Supply & Drainage Board,
31, Kamarajar Salai,
Chepauk,
Chennai – 600 005.



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4.M.Kuppusamy

...Respondents

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Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for issuance of Writ of Certiorarified Mandamus calling for the records in B.P.Ms.No.109 dated 24.11.2010 on the file of the 1st respondent and quash the same and direct the 1st respondent to frame service regulation for the post of Chief Audit Officer and further direct the 1st and 3rd respondent to appoint members of the Petitioner's Association as Chief Audit Officer.

For Petitioner	:	Mr.D.Kanagasundaram
For R1 & R3	:	Ms.S.Mekhala
For R2	:	Mr.M.S.Prem Kumar
		Government Advocate.

ORDER

Heard Mr.D.Kanagasundaram, learned counsel for the petitioner, Ms.S.Mekhala, learned counsel for the respondents 1 & 3 and Mr.M.S.Prem Kumar, learned Government Advocate for the 2nd respondent.

2. Though this writ petition is filed challenging the B.P.Ms.No.109 dated 24.11.2010 whereby the 4th respondent was appointed as Chief Audit Officer in the respondent Board, the said relief has become infructuous in view of the statement made by the learned counsel for the respondents that the 4th respondent is no more working as Chief Audit Officer in the respondent



Board. However, the other relief sought by the petitioner to direct the 1st respondent to frame service regulations for the post of Chief Audit Officer is concerned, it is relevant to refer the counter affidavit filed by the 1st respondent wherein, it is stated that the proposal for framing service regulations governing the post of Chief Audit Officer in the respondent Board was already framed by the Board's resolution No.3.14 dated 30.04.1991 and the said proposal was submitted to the 2nd respondent for its approval in terms of Section 73(3) of Tamil Nadu Water Supply and Drainage Board Act and the said proposal is pending with the 2nd respondent.

3. In the light of the above, this Court is of the considered view that it would be appropriate to direct the respondents to take a decision on the proposal submitted by the 1st respondent to the 2nd respondent. Accordingly, the 1st respondent is directed to send a reminder letter to the 2nd respondent within a period of three (3) weeks from the date of receipt of a copy of this order in connection with framing of service regulations governing the post of Chief Audit Officer in the respondent Board by duly enclosing all the relevant documents which are stated to have been already submitted before the 2nd respondent and on receipt of such reminder from the 1st respondent, the 2nd



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respondent shall consider the same and pass appropriate orders thereon as expeditiously as possible at any rate within a period of six (6) weeks from the date of receipt of reminder proposal from the 1st respondent.

4. Accordingly, the writ petition is disposed of. The connected miscellaneous petitions if any, shall stand closed. No costs.

14.08.2024

Index : Yes/No
Speaking Order : Yes/No
dpa



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To:

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- 1.The Managing Director,
Tamilnadu Water Supply & Drainage Board,
31, Kamarajar Salai,
Chepauk,
Chennai – 600 005.
- 2.The Secretary to Government,
Government of Tamilnadu,
Municipal Administration and
Water Supply Department,
Fort St. George,
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- 3.The Managing Director,
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MUMMINENI SUDHEER KUMAR,J.

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