



W.P. No.13157 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2025

CORAM:

THE HON'BLE MR.JUSTICE BATTU DEVANAND

W.P.No.13157 of 2018

S.Kalyanasundaram

...

Petitioner

Vs.

1.The State of Tamil Nadu,
Rep.by its Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Fort St.George,Chennai – 600 009.

2.The Director of Adi Dravidar Welfare,
Ezhilagam, Chepauk, Chennai – 600 005.

3.The District Collector,
Salem District, Salem – 636 001.

4.The District Adi Dravidar & Tribal
Welfare Officer,
Salem District, Salem – 636 001.

5.K.Murugan

6.P.Muniyammal

7.M.Sumathi

8.C.Pandiaraja

9.P.Kalivasami

10.The Director General of Police,
The Directorate of Vigilance and
Anti-Corruption, No.293, MKN Road,
Alandur, Chennai – 16.

(R10 -Suo-Motu impleaded as per order
dated 12.09.2024 in W.P.No.13157/2018) ...

Respondents



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PRAYER: Writ petition has been filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to consider the representation submitted by the Petitioner dated 21.05.2018 for cancellation of appointments to the post of Cook in Adi Dravidar Welfare Department, Salem district made in pursuant to Notification issued by 4th respondent in Na.Ka.No.36263/2011/D4 dated 21.10.2015 as violative of rules and to conduct selection to the post of Cook in the manner known to law and consequently to direct the respondents 1 to 4 to select and appoint the petitioner to the post of Cook, within the time frame to be fixed by this Hon'ble Court.

For Petitioner : Mr.S.Nedunchezhiyan
For Respondent : Mr.J.Ravindran
Nos.1 to 4 & 10 Additional Advocate General
Assisted by Mr.L.S.M.Hasan Fizal
Additional Government Pleader

ORDER

This writ petition has been filed seeking a direction to the respondents to consider the representation submitted by the Petitioner dated 21.05.2018 for cancellation of appointments to the post of Cook in Adi Dravidar Welfare Department, Salem District made in pursuant to Notification issued by 4th respondent in Na.Ka.No.36263/2011/D4 dated 21.10.2015 as violative of rules and to conduct selection to the post of Cook and consequently, to direct the respondents 1 to 4 to select and appoint the petitioner to the post of Cook, within the time frame.



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2.The learned counsel appearing for the petitioner would submit that pursuant to the notification dated 21.10.2015, the fourth respondent had notified 80 posts of Cooks in Adi Dravidar Welfare Department, Salem District. In the selection process, several irregularities are taken place and as such, the petitioner has submitted a representation to the respondents on 21.05.2018 seeking for cancellation of the appointment made pursuant to the notification. The said representation is not considered by the respondents till now. Further, he submitted that the entire selection process has been vitiated under law due to the irregularities and sought to allow this writ petition.

3.Mr.J.Ravindran, the learned Additional Advocate General would submit that on receipt of the complaints against the selection of Cook in Adi Dravidar Welfare Department, Salem District, the Government is investigating the issue through Anti Corruption and Vigilance Department and after that, appropriate action will be taken. The learned Additional Advocate General also brought to the notice of this Court that the learned Single Judge of this Court by an order dated 22.07.2024 in W.P.No.4651 of 2016, quashed the said notification and he has placed the copy of the order in W.P.No.4651 of 2016 and submits that as the notification itself is quashed by this Court, nothing



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survives in this writ petition for further adjudication and as it has become infructuous, he sought to dismiss the writ petition.

4.Heard the submission made by the learned counsel on either side and perused the material available on record.

5.It is an admitted fact that the notification dated 21.10.2015 issued by the 4th respondent, which is under challenge in the present writ petition, is already quashed by order dated 22.07.2024 in W.P.No.4651 of 2016.

6.In view of the above, no further adjudication is required in the present writ petition. Accordingly, the writ petition is dismissed as infructuous. No costs.

Index: Yes/No
Internet: Yes/No
sms
To

09.01.2025

1.The State of Tamil Nadu,
Rep.by its Secretary to Government,
Adi Dravidar and Tribal Welfare Department,
Secretariat, Fort St.George,Chennai – 600 009.



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2. The Director of Adi Dravidar Welfare,
Ezhilagam, Chepauk, Chennai – 600 005.

3. The District Collector,
Salem District, Salem – 636 001.

4. The District Adi Dravidar & Tribal
Welfare Officer,
Salem District, Salem – 636 001.

5. The Director General of Police,
The Directorate of Vigilance and
Anti-Corruption, No.293, MKN Road,
Alandur, Chennai – 16.

6. The Public Prosecutor,
High Court, Madras.



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BATTU DEVANAND,J.

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