

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.02.2015

CORAM

THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN

W.P. No.14529 of 2014

and

M.P.No.1 of 2014

N.Subramanian

... Petitioner

vs.

The Managing Director,
Metropolitan Transport Corporation Ltd.,
Head Office, Pallavan House,
Pallavan Salai, Chennai - 2. Respondent

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of mandamus directing the respondent herein to include the name of the petitioner in the promotion list of Assistant Manager (Tech.) fit for promotion as Deputy Manager in the service of Metropolitan Transport Corporation (Chennai) Ltd., and promote the petitioner as Deputy Manager (Tech) as per the representation of the petitioner dated 24.05.2014.

For Petitioner : Mr. S. Balasubramanian

For Respondents : Mr.P. Paramasiva Doss,

ORDER

The claim made by the petitioner for promotion to the post of Deputy Manager (Technical) was not considered by the respondent resulted in filing this writ petition.

2.The petitioner is presently working as Assistant Manager (Works), Chromepet Central Workshop. The next avenue of promotion is to the post of Deputy Manager. The respondent issued a charge memo to the petitioner on 04.05.2013. The pendency of the said proceedings appears to be the reason for not considering the claim of the petitioner for promotion.

3.In case the regulations framed by the respondent do not provide for exclusion of the name of an employee for promotion on account of pendency of charge memo, definitely, the case of the petitioner should be considered for promotion on merits. In any case, the issue raised by the petitioner requires to be considered in the light of the regulations framed by the respondent.

4.The respondent is directed to consider the representation submitted by the petitioner dated 24.05.2014 and dispose of the same on merits and in accordance with law. Such exercise shall be completed within a period of two months from the date of receipt of a copy of this order.

5.The writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar

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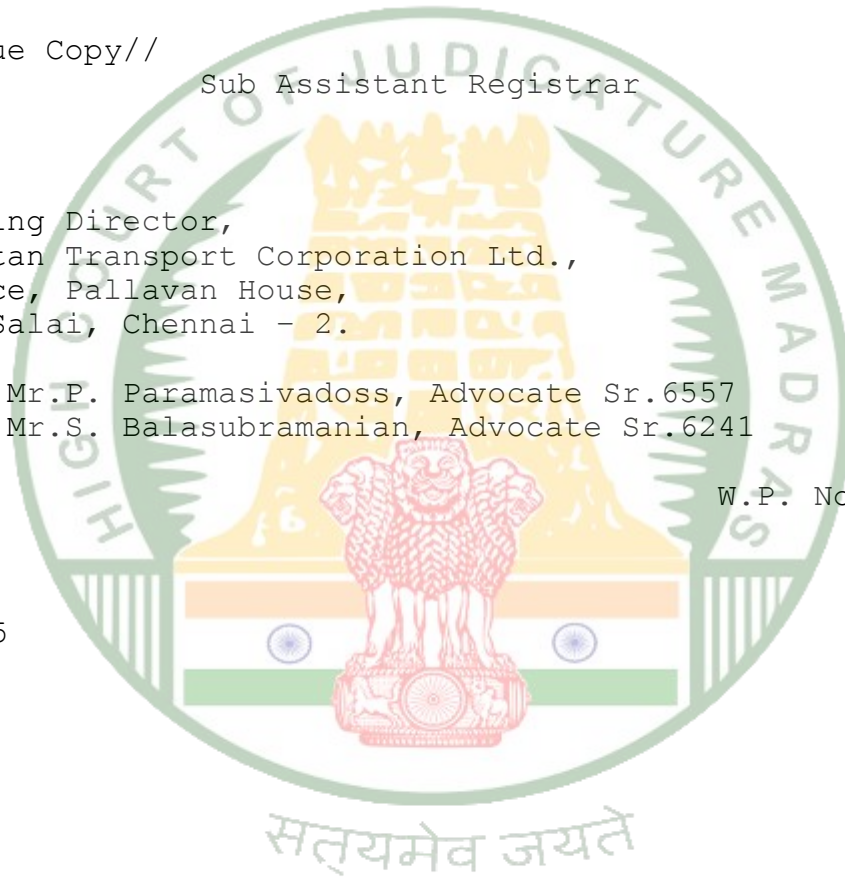
Sub Assistant Registrar

mmi
To
The Managing Director,
Metropolitan Transport Corporation Ltd.,
Head Office, Pallavan House,
Pallavan Salai, Chennai - 2.

+ 1 cc to Mr.P. Paramasivadosh, Advocate Sr.6557
+ 1 cc to Mr.S. Balasubramanian, Advocate Sr.6241

W.P. No.14529 of 2014

GR(CO)
Eu 13.2.15



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