

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.07.2015

CORAM:

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.20155 of 2015

J.Roch

... Petitioner

-Versus-

1.Tamilnadu State Transport Corporation
(Villupuram) Ltd.,
Vellore Region,
Rep. By its Managing Director,
Vellore 632 009.

2.The General Manager,
Tamilnadu State Transport Corporation
(Villupuram) Ltd.,
Vellore Region,
Vellore 632 009.

3.K.Jaishankar

4.P.Sreenivasan

5.L.Srinivasan

6.J.Venkatesan

7.R.Gandhimathi

...Respondents

Writ Petition filed, under Article 226 of the Constitution of India for the relief of issuance of Writ of Mandamus, directing the respondents 1 and 2 to include the name of the petitioner in the panel for promotion to the post of Superintendent issued vide letter dated 11.02.2015 by disposing of the petitioner's representations dated 03.04.2015 and 19.05.2015 addressed to the respondents 1 and 2 within a time frame to be fixed by this court.

For petitioner : Mr.K.M.Ramesh
For Respondents : Mr.P.Kannan Kumar for R1 and R2

ORDER

Considering the limited scope of the prayer sought for in the writ petition, by consent, the writ petition itself is taken up for disposal.

2. The petitioner is working as a Senior Assistant in the respondent corporation. According to the petitioner, the pay-slip issued by the respondent corporation [enclosed at page 9 of the typed set of papers], he joined the service of the respondent corporation on 22.04.1994. The grievance of the petitioner is that his name has not been included in the panel dated 11.02.2015 drawn for promotion to the post of Superintendent, while the names of his juniors, who are respondents 3 to 7 herein, have been included. In support of his claim, the petitioner enclosed the pay-slips of the respondents 3 to 7 at page Nos.9 to 11 in the typed set of papers.

3. The petitioner in the affidavit filed in support of the writ petition would assertively state that he became a Senior Assistant before the respondents 3 to 7, but their names did find a place in the panel for promotion to the post of Superintendent. The petitioner would further assertively state that while he has been given third review benefits, the respondents 3 to 7, who were not given third review benefits, have been included in the panel. He gave a representation to the respondents 1 and 2 in this regard. But, the same did not evoke any response. Hence, he has come forward with this writ petition seeking for a mandamus to the respondents 1 and 2 directing them to include his name in the panel for promotion to the post of Superintendent based on his representations.

4. I have heard Mr.K.M.Ramesh, the learned counsel for the petitioner and Mr.P.Kannan Kumar, the learned standing counsel, who takes notice for the respondents 1 and 2, and also perused the records carefully.

5. The learned standing counsel for the respondents 1 and 2 would submit that the representations of the petitioner for promotion would be considered by the respondents on merits and in accordance with law and orders would be passed within a time frame to be fixed by this court.

6. At this juncture, the learned counsel for the petitioner would submit that until such orders are passed on the representations of the petitioner, the respondents 1 and 2 may be directed not to act on the panel for promotion to the post of Superintendent.

7. I have considered the submissions made on either side.

8. Considering the limited scope of the prayer sought for in the writ petition and the fact that the representations of the petitioner for promotion is pending with the respondents 1 and 2, this court directs the respondents 1 and 2 to dispose of the

representations of the petitioner dated 03.04.2015 and 19.05.2015 on merits and in accordance with law and pass appropriate orders on the same within a period of six weeks from the date of receipt of a copy of this order and until such orders are passed, the respondents 1 and 2 shall not act on the panel for promotion to the post of Superintendent dated 11.02.2015.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

kmk

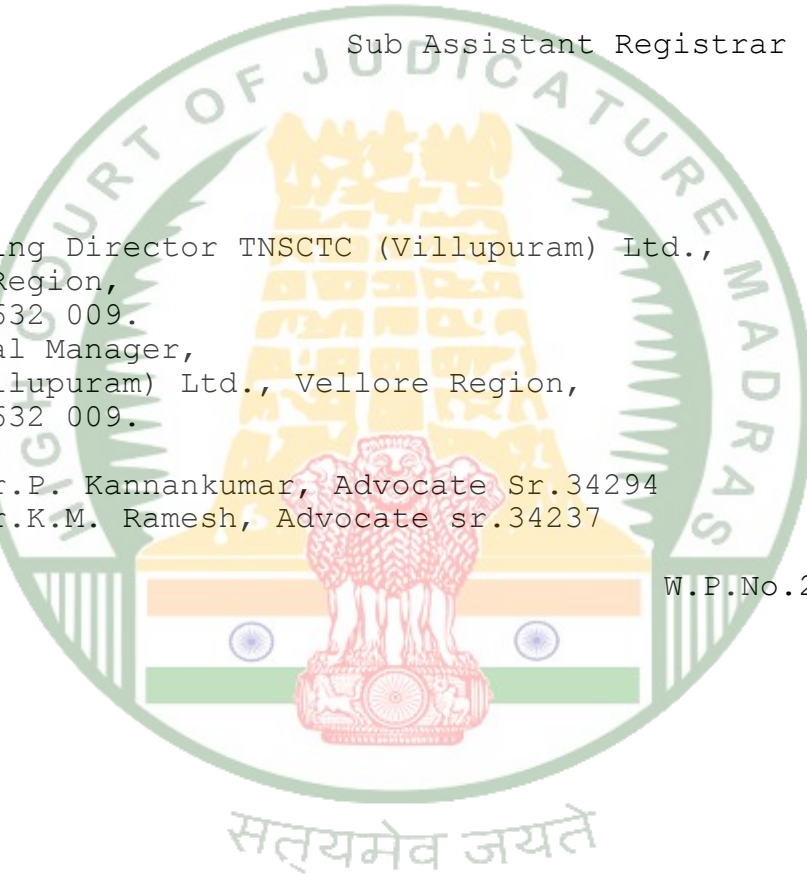
To

- 1.The Managing Director TNSCTC (Villupuram) Ltd.,
Vellore Region,
Vellore 632 009.
- 2.The General Manager,
TNSCTC (Villupuram) Ltd., Vellore Region,
Vellore 632 009.

+ 1 cc to Mr.P. Kannankumar, Advocate Sr.34294
+ 1 cc to Mr.K.M. Ramesh, Advocate sr.34237

W.P.No.20155 of 2015

CNR(CO)
Eu 10.07.15



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