IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.20499 of 2015

M.Kamaraj ...Petitioner

vs.

1.The Principal Secretary to Government,
Highways and Minor Ports (HL1) Department,
Fort St.George, Chennai - 600 009.

2.The Director General (Highways)
Highways Department,
Chepauk, Chennai - 5. ...Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus, directing the respondent to consider and pass orders on the representation made by the petitioner for promotion as Superintending Engineer for the panel year 2009-2010 in the light of the representation made by the petitioner dated 13.03.2015.

For Petitioner : Mr.K.Venkatramani
Senior Counsel for
Mr.M.Muthappan

For Respondents : Ms.M.E.Raniselvam
Addl. Government Pleader

O R D E R

The petitioner is a Divisional Engineer. He was not considered for promotion to the post of Superintending Engineer in the panel for the year 2009-2010, since he was facing disciplinary proceedings under Rule 17(b) of Tamil Nau Civil Services (D & A) Rules.

2. It is seen that the disciplinary proceedings initiated against the petitioner ended in the imposition of punishment of stoppage of increment for a period three months without cumulative effect, by the first respondent vide order dated 25.10.2013. Challenging the said order, the petitioner filed W.P.No.33208 of 2013. This Court, by an order dated 09.03.2015 allowed the said

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writ petition. Hence, the petitioner made a representation dated 13.03.2015 to the respondents to consider him for promotion to the post of Superintending Engineer for the panel year 2009-10 at an appropriate place.. Since no order is passed, the petitioner is before this Court with this writ petition.

3. In view of the limited prayer made, the writ petition is disposed of by directing the first respondent to consider the representation of the petitioner dated 13.03.2015 and pass appropriate orders on merits and in accordance with law, in the light of the aforesaid facts, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

-Sd/-
Assistant Registrar

//True copy//

Sub Assistant Registrar

svki

To

1.The Principal Secretary to Government,
Highways and Minor Ports (HL1) Department,
Fort St.George, Chennai - 600 009.

2.The Director General (Highways)
Highways Department,
Chepauk, Chennai - 5.

+ 1 cc to Mr. M.Muthappan,Advocate, (SR 34635)

W.P.No.20499 of 2015

SV (CO)
YJ 24.07.15

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