

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated :23.02.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.K. SASIDHARAN

Writ Petition No.2531 of 2014

S.N.Shankar

...Petitioner

vs.

Corporation of Chennai
Rep. By its Commissioner
Ripon Building
Chennai - 600 003

... Respondent

Writ Petition filed under Article 226 of the Constitution of India, for the issuance of a writ of declaration declaring that the action of the respondent is not including the name of the petitioner in the list for approval to the Government for promotion from the post of Executive Engineer to the post of Superintending Engineer after including the name of the petitioner in the Approved panel for promotion from the post of Executive Engineer to the post of Superintending Engineer through its Resolution 122 of 2011 dated 31.05.2011 as illegal and consequently direct the respondent to forward the name of the petitioner to the Government of Tamil Nadu for getting the approval of the Government for promotion of the petitioner to the post of Superintending Engineer on notional basis and treat the petitioner as retired in the post of Superintending Engineer with effect from 31.05.2011.

For Petitioners : Mr.Balan Haridas

For Respondents : Mr.R.Arunmozhi

O R D E R

The Corporation prepared a list for promotion from the post of Executive Engineer to the post of Superintending Engineer. The name of the petitioner was included in the said list. The list was prepared vide Resolution No.122 of 2011 dated 31.05.2011. Since the petitioner was attaining the age of superannuation on 31.05.2011, his name was deleted. The petitioner, thereafter, submitted a representation on 26.09.2013 requesting the Corporation to include his name in the list and send the same to the Government for passing appropriate orders.

2. According to the petitioner, he would get notional promotion based on the seniority and this will not cause any financial burden on the Corporation.

3. The respondent is directed to consider and dispose of the representation of the petitioner dated 26.09.2013 on merits and as per law. Such exercise shall be completed within a period of two months from the date of receipt of a copy of this order.

4. The writ petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar
Dated:3.3.15

True Copy

Sub Assistant Registrar

To

The Commissioner
Corporation of Chennai
Ripon Building
Chennai - 600 003

+1 cc to M/s.R.Arunmozhi, Advocate, SR.9814.

vsn(co)
krd 9/3

W.P.No.2531 of 2014

सत्यमेव जयते
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