

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 09.09.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.28342/2015

D.Ganapathi

... Petitioner

Versus

1. The Chief Secretary to Government
Union of India, Chief Secretariat,
Government of Puducherry,
Puducherry.
2. The Chairman
Pondicherry State Sports Council
Indira Gandhi Sports Complex,
Uppalam, Puducherry-1.
3. The Member Secretary
Pondicherry State Sports Council
Indira Gandhi Sports Complex,
Uppalam, Puducherry-1.
4. The Director
The Director of Sports
Education Department Complex
Ellaipillaichavady, near Indira Gandhi
Statue, Puducherry.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, seeking for a writ of mandamus, to direct the respondents to promote the petitioner to the post of Garden Supervisor with all consequent monetary and other benefits from date on which the petitioner is working as garden supervisor.

For Petitioner : Mr.M.Gnanasekar
For R1 to R4 : Mr.R.Sreedhar, GA [Pondy]

O R D E R

By consent, the writ petition is taken up for final disposal.

2.The petitioner has studied upto 10th standard and claims that he is an outstanding sportsman in the field of Weight Lifting and got

his name registered with the Joint Director of Sports and Youth Service of Puducherry and the registration number of the petitioner is 288/94 and a certificate was issued to the petitioner on 10.05.1994 to that effect. The Government of Puducherry, considering the achievement of the petitioner, has offered him an appointment as Weight Lifting trainer vide order dated 29.12.1996 on a consolidated pay of Rs.2400/- per month and vide order dated 09.01.2007, the petitioner was appointed as an attender on the regular basis with effect from 03.10.2006 and his pay was fixed in the time scale of pay of Rs.2610-60-3150-3540. The grievance expressed by the petitioner is that though his services were regularised from the year 2006, he has not been given even a single promotion so far and though he has been working as garden supervisor for more than 7 years. The petitioner in this regard, has submitted a representation on 17.04.2013 to the respondents praying for his promotion to the post of Garden Supervisor and though it was received and acknowledged, the petitioner is yet to be favoured with any response and hence, the petitioner came forward to file this writ petition.

3. Heard the submissions of the learned counsel for the petitioner and Mr.R.Sreedhar, learned Government Advocate [Pondy] who accepts notice on behalf of the respondents.

4. Though the petitioner has prayed for a larger relief, this Court, taking into consideration the above facts and circumstances, without going into the merits of the same, directs the 2nd respondent to consider and dispose of the petitioner's representation dated 17.04.2013 on merits and in accordance with law and pass orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner herein.

5. The writ petition is disposed of accordingly. No costs.

AP

s/d-
Assistant Registrar (CS-IV)

True Copy

Sub-Assistant Registrar

To

1. The Chief Secretary to Government
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Statue, Puducherry.

+ 1 cc to the Senior Advocate, Sr.Govt.Pleader cum Sr.Public
Prosecutor for Puducherry, High Court, Madras 104
SR 49086

+1 cc to Mr.M.Gnanasekar, Advocate, sr.49801, (09/10/2015)

jsv(co)
prk11/9

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