

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09-09-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.28400 of 2015

S.Velmurugan

.. Petitioner

vs

1.Union of India
Represented by
The Chief Secretary to Government
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
O/o the Director of Sports
Education Department Complex
Ellaipillaichavady
Near Indira Gandhi Statue
Puducherry

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of mandamus directing the respondents to promote the petitioner to the post of Wireman with all consequential monetary and other benefits from the date on which the petitioner is working as Wireman.

For Petitioner : Mr.M.Gnanasekar

For Respondent : Mr.R.Sreedhar
Government Advocate (Pondy)

ORDER

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

2.The petitioner would state that he studied upto X Standard and is an Electrician having studied the said Course in the Industrial Training Institute. The petitioner would further claim that he is also a meritorious sportsman in power lifting and body building and was given appointment as a Part Time Sanitary Assistant

on 8.12.1999, in Puducherry State Sports Council and was directed to work for more than three hours per day, from the date of joining the duty.

3.The petitioner would further state that he was paid with the consolidated monthly wage of Rs.970/- and was converted as daily rated employee in the year 2003, and vide order dated 9.1.2007, he was appointed as a Peon on regular basis, with effect from 3.10.2006, in the time scale of pay of Rs.2550-55-2660-60-3200 and he is also looking after the electrical works of the Sports Complex as well as operating the generator.

4.It is also stated by the petitioner that he was suspended on 2.9.2013, and subsequently, was reinstated in service and a Disciplinary Proceeding was initiated against him on the ground that he made a representation and the same amounts to unfair labour practice and victimisation.

5.The grievance expressed by the petitioner, is that the persons similarly placed, were appointed as Multipurpose Workers, whereas, the petitioner was not even given one promotion and is stagnating in the present post for more than nine years and in this regard, he has submitted a representation dated 22.3.2013, and since no orders have been passed, came forward to file this writ petition.

6.Heard the submissions of the learned Counsel appearing for the petitioner, and Mr.R.Sreedhar, learned Government Advocate (Pondy), who accepted notice on behalf of the respondents.

7.Though the petitioner has prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the same, directs the second respondent to consider the petitioner's representation dated 22.3.2013, in accordance with law and pass orders thereon within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To:

- 1.The Chief Secretary to Government
Chief Secretariat
Government of Puducherry
Puducherry
- 2.The Chairman
Pondicherry State Sports Council
Indira Gandhi Sports Complex
Uppalam, Puducherry 1
- 3.The Member Secretary
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- 4.The Director
O/o the Director of Sports
Education Department Complex
Ellaipillaichavady
Near Indira Gandhi Statue
Puducherry

+1cc to Mr.M. Gnanasekar, Advocate, S.R.No.49802

+1cc to the Government Pleader, -cum-Sr.Public Prosecutor, for
Pondicherry S.R.No.49085

CA(CO)
EU(18/09/2015)

W.P.Nos.28400 of 2015

सत्यमेव जयते

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