

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE: 7.10.2015.

CORAM

THE HON'BLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.31655 of 2015

V.Ravichandran

Petitioner

vs.

1 The Director of Sugars/Registrar
Co-operative Sugar Mills
Nandanam Chennai-600 035.

2 The Managing Director
Kallakurichi No.II Co-Operative
Sugar Mills Ltd
Kachirapalayam-606 207
Chinna Salem Taluk
Villupuram District

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a writ of mandamus directing the 1st respondent to issue an appropriate direction to the 2nd respondent to promote the petitioner as cashier in existing vacancies of the 2nd respondent Kallakurichi No.II Co-operative Sugar Mill Ltd, with service and monetary benefits.

For Petitioner : Mr.S.Gunaseelan

For Respondents: Mr.R.Bala Ramesh, Addl Govt.Pleader

ORDER

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

2. The petitioner is a B.Com graduate and also a Diploma holder in Co-operative Management and joined services of the second respondent as Clerk on 6.6.1994 and got promotion as Accounts Clerk-III further promotion as Accounts Clerk-II. It is claimed by the petitioner that he is eligible for the post of Cashier as per the seniority list and one P.Senthilkumar, junior to him is trying to get that promotion though he has not

completed higher secondary course and studied the degree in Open University. The petitioner, in this regard, has submitted a representation on 30.5.2015 to the second respondent and it was also followed by another representation dated 31.7.2015 to the first respondent and since no order has been passed, he has come forward to file this writ petition.

3. Learned counsel for the petitioner would submit that in respect of representation dated 26.3.2015 submitted by the petitioner, the first respondent directed, vide his letter Na.Ka.No.5001 dated 17.4.2015 to take appropriate action and in spite of that no action has been taken and hence, the petitioner has come forward to file this writ petition.

4. Per contra, Mr.Bala Ramesh, who accepts notice for the respondent, would submit that the representation of the said P.Senthilkumar was rejected and the necessary steps would be taken to communicate the decision taken to the petitioner.

5. Though the petitioner has prayed for a larger relief, in the light of the facts and circumstances of the case, this court directs the second respondent to consider the petitioner's representation dated 30.5.2015 on merits and in accordance with law after taking into consideration the communication of the first respondent dated 22.4.2015 and pass orders on merits and in accordance with law within a period of six weeks from the date of receipt of copy of this order and communicate the decision taken to the petitioner as well as P.Senthilkumar.

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

ssk.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

- 1 The Director of Sugars/Registrar
Co-operative Sugar Mills
Nandanam Chennai-600 035.

2 The Managing Director
Kallakurichi No.II Co-Operative
Sugar Mills Ltd
Kachirapalayam-606 207
Chinna Salem Taluk
Villupuram District

+ 1 cc to Mr.R.Bala Ramesh, Advocate SR 55291

+ 1 cc to Mr.S.Gunasekaran, Advocate SR 54487

+ 1 cc to the Govt.Pleader SR 54700

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