

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 18.11.2015
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.36708 of 2015

S.Oleena

[Petitioner]

Vs

- 1 The Secretary to Government
Home (Transport IV) Department
Fort St. George Chennai-9.
- 2 The Transport Commissioner
Ezhilagam Chepauk Chennai-5. [Respondents]

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus directing the respondents to grant relaxation of the norms prescribed in Annexure-IV of rule 30(b) of the special rules for T.N.Ministerial Service in favour of the petitioner and further direct the respondents to include the name of the petitioner in the panel of Assistant for promotion to the post of Superintendent for the year 2014-2015 par with his junior published in G.O.Ms.No. 766 Home (Transport IV) Department dt. 13.10.2014 and promote the petitioner as Superintendent in the light of the representation made by the petitioner dated 30.10.2015 and grant her all consequential service and monetary benefits.

For Petitioner : Mr.K.Venkataramani, Senior Counsel
for Mr.M.Muthappan

For Respondents : Mr.M.L.Mahendran, GA

O R D E R

Heard the learned Senior counsel appearing for the petitioner and Mr.M.L.Mahendran, learned Government Advocate, who took notice for the respondents and with their consent, the main writ petition itself is taken up for disposal.

2. The petitioner has come forward with this writ petition seeking a direction to the respondents to grant relaxation of the norms prescribed in Annexure-IV of rule 30(b) of the Special Rules for Tamil Nadu Ministerial Service in favour of the petitioner and further direct the respondents to include her name in the panel of Assistants fit for promotion to the post of Superintendent for the year 2014-2015 on par with her junior

published in G.O.Ms.No.766 Home (Transport IV) Department dated 13.10.2014 and promote her as Superintendent in the light of the representation made by her dated 30.10.2015 and grant her all consequential service and monetary benefits.

3. The learned Senior Counsel appearing for the petitioner would submit that in identical circumstances, one M.Lakshmikanth Kalathy has approached this Court by filing W.P.No.32115 of 2015 for inclusion of his name in the panel of Assistants fit for promotion to the post of Superintendent for the year 2014-15 on par with his juniors published in G.O.Ms.No.766, Home (Transport IV) Department dated 13.10.2014, and this Court, by order dated 09.10.2015, has directed the second respondent to consider the representation of the petitioner therein dated 05.12.2014 and the reminder dated 06.05.2015 and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of that order and further directed to communicate the decision taken, to the petitioner therein and since the petitioner is also similarly placed, a similar direction may be issued to the petitioner herein also.

4. Since it is represented that the petitioner being similarly placed, seeking the same relief in this writ petition, without going into the merits of the case, the 2nd respondent is directed to consider the representation of the petitioner dated 30.10.2015 and pass orders on merits and in accordance with law, 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.

The writ petition is disposed of accordingly. No costs.

Sd/-

Asst.Registrar (CO)

/true copy/

सत्यमेव जयते

Sub Asst. Registrar

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To

- 1 The Secretary to Government
Home (Transport IV) Department
Fort St. George Chennai-9.
- 2 The Transport Commissioner
Ezhilagam Chepauk Chennai-5.

+1 cc to Mr.Muthappan, Advocate, sr.62363

+1 cc to The Government Pleader, sr.62631

tm co, kra 26.11.2015

W.P.No.36708 of 2015