

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 05.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

Writ Petition No.12636 of 2016

P.Seetharaman
S/o.Pathinettan

.. Petitioner

-Versus-

1.The Chief Engineer in Chief,
WRD & Chief Engineer (General),
Public Works Department,
Chepauk, Chennai - 600 005.

2.Tamil Nadu Public Service Commission,
represented by the Secretary,
Frazer Bridge Road,
V.O.C.Nagar, Park Town,
Chennai - 600 003.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the first respondent to confirm and communicate the seniority of the petitioner in the post of Superintendent to the second respondent and consequently direct the second respondent to clear the petitioner's name to the post of Administrative Officer and consequently direct the first respondent to promote the petitioner for the post of Administrative Officer with all consequential monetary and other benefits.

For Petitioner : Mr.M.Gnanasekar

For Respondents: Mr.A.Kumar,
Special Government Pleader [R1]

WEB COPY
O R D E R

Mr.P.Seetharam, the petitioner herein, who has joined in the Public Works Department as Junior Assistant on 05.05.1978, was promoted as Assistant and thereafter as Superintendent. During the panel year 2004-2005, when the turn for promotion to the post of Superintendent in Public Works Department came, due to personal reasons, the petitioner temporarily relinquished his right to promotion to the post of Superintendent for a period of three years i.e. from 01.04.2004 to 31.03.2007. At the end of the third year i.e. 31.03.2007, the petitioner's name was not included for the

panel year 2008-2009. However, the petitioner's name was included for the panel year 2009-10 and was promoted as Superintendent vide proceedings of the first respondent dated 29.06.2009. Therefore, the petitioner has submitted a representation before the first respondent on 10.06.2015 praying to consider his request for promotion to the post of Superintendent for the panel year 2008-2009 and to revise his seniority. Since no orders have been passed on his representation, the petitioner has filed this writ petition.

2. Mr.A.Kumar, the learned Special Government Pleader, takes notice for the first respondent.

3. Considering the limited nature of prayer as also the fact that the petitioner's name was included for the panel year 2009-10 and he was also given promotion, this Court directs the respondents to consider the representation of the petitioner 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.

The Writ Petition is disposed of with the above direction. No costs.

gm

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1. The Chief Engineer in Chief,
WRD & Chief Engineer (General),
Public Works Department,
Chepauk, Chennai - 600 005.
2. The Secretary,
Tamil Nadu Public Service Commission,
Frazer Bridge Road,
V.O.C.Nagar, Park Town,
Chennai - 600 003.

+ 1 cc to Mr.M.Gnanasekar, Advocate Sr 21566

+ 1 cc to The Govt.Pleader, Sr 21746

KR/18/4/16

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