

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2016

CORAM

THE HONOURABLE MR.JUSTICE M.S.RAMESH

W.P.No.32874 of 2013

and

M.P.No.1 of 2013

K.Ari Raghavan

... Petitioner

Versus

1. The Joint Director of Collegiate Educational
Trichy Region, Trichy.

2. The Secretary,
Pachiyappas Trust,
Chennai-30.

3. The Principal,
C.Kandasamy Naidu Womens College,
Cuddalore.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus directing the 1st respondent to dispose the petitioner's statutory appeal dt.13.4.2013 against the proceedings in R.C.No.A1/0540/2013 dated 20.03.2013 issued by the 2nd respondent expeditiously.

For Petitioner : Mr.R.Balasubramanian

For R1 : Mrs.M.E.Rani selvam
Additional Government Pleader

For R2 : Mr.M.Devendran

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O R D E R

The petitioner was appointed as record clerk on 18.10.1995 by the 2nd respondent. In the year 2011, he was given promotion as Lab Assistant, which the petitioner denied to accept due to his personal inconvenience. Thereafter, the petitioner made a representation for promotion for which the 2nd respondent by an order dated 20.03.2013 had stated that the petitioner has become ineligible for promotion for a period of three years since he had denied to accept promotion offered to him on 18.01.2011. As against the said order, the petitioner had filed an appeal before the first respondent on 13.04.2013,

which is said to be pending. Hence, the petitioner is before this Court seeking for a direction to the 1st respondent to dispose the petitioner's statutory appeal dated 13.04.2013 against the proceedings in R.C.No.A1/0540/2013 dated 20.03.2013 issued by the 2nd respondent.

2.Heard Mr.R.Balasubramanian, learned counsel appearing on behalf of the petitioner, Mrs.M.E.Rani Selvam, Additional Government Pleader appearing on behalf of the first respondent and Mr.M.Devendran, learned counsel appearing on behalf of the second respondent.

3.In view of the limited prayer sought for in this writ petition and without going into the merits of the appeal, there shall be a direction to the first respondent to consider the petitioner's appeal dated 13.04.2013 on its own merits and pass orders in accordance with law within a period of four weeks from the date of receipt of copy of this order. The first respondent while passing orders in the said appeal shall give due opportunity to the petitioner.

4. With the above observation, the Writ Petition is disposed of. No Costs. Consequently, connected Miscellaneous Petition is also closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

rm

To

1. The Joint Director of Collegiate Educational Trichy Region, Trichy.
2. The Secretary,
Pachiyappas Trust,
Chennai-30.
3. The Principal,
C.Kandasamy Naidu Womens College,
Cuddalore.

+lcc to Mr.R.Subramanian, Advocate, S.R.No.71078
+lcc to Mr.M.Devendran, Advocate, S.R.No.70706
+lcc to the Government Pleader, S.R.No.71269

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UG(CO)
CA(09/12/2016)

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