

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04.08.2016

CORAM

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

W.P.No.15236 of 2012

and

M.P.No.1 of 2012

G.Ravichandran

.. Petitioner

-vs-

1.The Commissioner of Sugar,  
690, Anna Salai, Nandanam,  
Chennai-600 035.

2.The District Revenue Officer / Administrator,  
M.R.K. Co-op.Sugar Mills Ltd.,  
Sethiathope-608 702,  
Chidambaram Taluk,  
Cuddalore District,  
PIN 608 702.

.. Respondents

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent in his proceeding Na.Ka.No.E2-2-96 dated 20.9.2011 and the Letter of the 1st respondent in No.11764/ Sa.Tho.1/2011 dated 29.12.2011 and quash the same and consequently direct the respondents to forthwith promote the petitioner as Clerk III, Clerk II and Superintendent with effect from the date on which his juniors got promotion as Clerk III, Clerk II and Superintendent with all monetary and other attendant benefits.

For Petitioner :: Mr.S.Gajendraraj

For Respondents:: Mr.A.Rajaperumal, AGP for R1  
Mr.R.Bala Ramesh, AGP for R2

ORDER

This writ petition has been filed to quash the order of the second respondent in his proceeding Na.Ka.No.E2-2-96 dated 20.9.2011 and the proceedings of the first respondent in No.11764/ Sa.Tho.1/2011 dated 29.12.2011 and consequently direct the respondents to forthwith promote the petitioner as Clerk

III, Clerk II and Superintendent with effect from the date on which his juniors got promoted as Clerk III, Clerk II and Superintendent, with all monetary and other attendant benefits.

2. When this writ petition is taken up, it has been brought to the notice of this Court by the learned Additional Government Pleaders appearing for the respondents that the petitioner has been terminated from service with effect from February 2016, and as against the said termination, the petitioner has also initiated proceedings before the Court dealing with industrial disputes and the matter is pending. Therefore, according to the learned Additional Government Pleaders, the question of granting promotion to the petitioner during the relevant point of time, does not arise.

3. The above said fact is not disputed by the learned counsel for the petitioner.

4. In view of the submissions made, it is clear that the promotion of the petitioner will be subject to the result of the Industrial Dispute. In the event the petitioner succeeds in the Industrial Dispute, the promotion as contemplated, can be revived by him.

5. With the above observation, the writ petition is disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

KM

To

1. The Commissioner of Sugar,  
690, Anna Salai, Nandanam,  
Chennai-600 035.

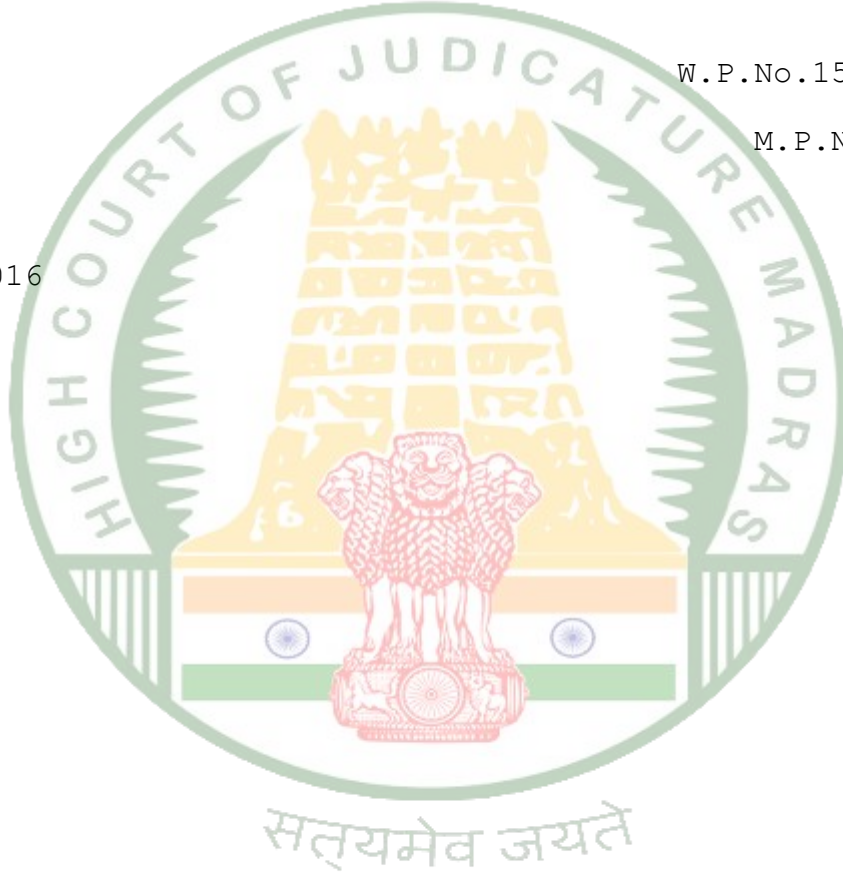
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2.The District Revenue Officer / Administrator,  
M.R.K. Co-op.Sugar Mills Ltd.,  
Sethiathope-608 702,  
Chidambaram Taluk,  
Cuddalore District,  
PIN 608 702.

+1 cc to Mr.K.Raja Advocate sr 44641  
+1 cc to Mr.R.Balaramesh Advocate sr 45045  
+1 cc to Government Pleader sr 44891

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and  
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aa26/08/2016



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