

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.01.2016

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.45 of 2016

&

W.MP. 9 of 2016

K.Singaram

... Petitioner

Vs.

1.The Additional Chief Secretary to Government,
& Chairman of State Transport Undertakings,
Transport Department,
Secretariat,
Fort St.George,
Chennai-600 009.

2.The Managing Director,
State Express Transport Corporation(TN) Ltd.,
Pallavan Salai,
Chennai-600 002.

3.The Convenor,
Career Planning Committee,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Tiruvallurar House,
SETC Complex, No.2, Pallavan Salai,
Chennai-600 002.

4.V.Sankar,
Company Secretary,
Tamil Nadu State Transport Corporation
Kumbakonam Ltd.,
No.27, Railway Station New Road,
Kumbakoram,
Thanjavur District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to direct the respondents 1 to 3 to include the name of the petitioner in the panel for promotion to the post of Manager(Accounts) for the year 2015-2016 by considering the representation/objection submitted by the petitioner dated 26.10.2015 and consequently promote the petitioner to the post of Manager(Accounts) in the existing vacancy in the panel year 2015-2016.

For Petitioner : Mr.G.Sankaran

For Respondent : Mr.N.Srinivasan,
No.1 Additional Government Pleader

For Respondent : Mr.Udayakumar
Nos. 2 & 3

O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. According to the petitioner, he was appointed as Junior Manager (Accounts Trainee) on 11.10.1985. Subsequently, he was promoted as Assistant Manager(Accounts) on 28.02.1992, as Deputy Manager on 22.06.2012 and as Senior Deputy Manager on 16.10.2015. The next avenue of promotion is to the post of Financial Adviser cum Chief Accounts Officer(FA & CAO) in the cadre of Manager.

3. The petitioner would state that as per G.O.Ms.No.141, Transport Department, dated 04.12.2014, approval was granted to include 5 Deputy Managers in the panel for promotion to the post of Senior Deputy Manager(Accounts). The petitioner was placed No.1 in the panel.

4. The grievance of the petitioner is that the respondents are preparing panel among the Senior Deputy Manager(Accounts) for promotion to the post of Manager(Accounts) in respect of 4 vacancies and as per the seniority, the petitioner has to be included as fourth senior most person as the Deputy Manager as per the panel approved in G.O.Ms.No.141 dated 04.12.2014. However, one Mr.V.Sankar, who is functioning as Company Secretary, is sought to be included in the panel for Manager (Accounts) contrary to the Rules. Therefore, he gave a

representation to the first respondent on 26.10.2015 objecting the move taken by the respondents and also requesting the respondents to include the name of the petitioner in the panel. Since no order has been passed, the present writ petition has been filed.

5. Heard Mr.G.Sankaran, learned counsel appearing for the petitioner, Mr.N.Srinivasan, learned Additional Government Pleader who takes notice for the first respondent and Mr.Udayakumar, learned counsel appearing for the second and third respondents.

6. Though the petitioner prayed for a larger relief, this court, in the light of the facts and circumstances and without going into the merits of the case, directs the first respondent to consider the representation/objection of the petitioner dated 26.10.2015 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.

7. The writ petition is disposed of accordingly. No costs. Consequently, connected WMP is closed.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

dn/sms

To

1.The Additional Chief Secretary to Government,
& Chairman of State Transport Undertakings,
Transport Department,
Secretariat,
Fort St.George,
Chennai-600 009.

2.The Managing Director,
State Express Transport Corporation(TN) Ltd.,
Pallavan Salai,
Chennai-600 002.

3.The Convenor,
Career Planning Committee,
Tamil Nadu State Transport Corporation,
Employees Pension Fund Trust,
Tiruvallurar House,
SETC Complex, No.2, Pallavan Salai,
Chennai-600 002.

+lcc to Mr.G.Sankaran, Advocate, S.R.No.813
+lcc to Mr.V.Udayakumar, Advocate, S.R.No.772
+lcc to the Government Pleader, S.R.No.622

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PA(CO)
CA(28/01/2016)



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