

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.03.2016

CORAM

THE HONOURABLE MR. JUSTICE T.RAJA

W.P.No.8347 of 2016

M.Ramaiah Pillai

... Petitioner

vs.

1. The Secretary to the Government
of Tamilnadu, Transport Department, Secretariat,
Chennai - 600 009.

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

... Respondents

PRAYER: This Writ Petition is filed under Article 226 of the Constitution of India, seeking for a Writ of Mandamus, directing the the 2nd respondent to consider the representations of the petitioner dated 01.10.2014 and 08.01.2015, seeking to promote the petitioner to the posts of Superintendent from 08.06.2006 and Senior Superintendent from 25.05.2012, in line with the Junior of the petitioner, Mr.S.Rajendran who was promoted already.

For Petitioner : Mr.R.Ramachandran

For Respondents: Mr.R.Vijayakumar (for R1)
Addl. Government Pleader
Mr.P.Kannankumar (For R2)

O R D E R

This writ petition is filed by Mr.M.Ramaiah Pillai, seeking for a writ of mandamus, directing the 2nd respondent to consider his representations dated 01.10.2014 and 08.01.2015, requesting to promote him to the post of Superintendent from 08.06.2006 and Senior Superintendent from 25.05.2012, on the ground that when the petitioner, was serving as Senior Assistant in the 2nd respondent Transport Corporation, his promotions to the post of Superintendent and Senior Superintendent, have been stalled in view of the pending enquiry, pertaining to the Housing Society against the petitioner. Learned counsel would further submit that the II Metropolitan Magistrate Court, Egmore, has acquitted the petitioner and others, regarding the criminal cases relating to the Housing Society and subsequently, the petitioner has made a representation to consider his promotion. Since, the respondents have not come forward to answer his representation, the petitioner has come forward to file this writ petition.

2. This Court is not inclined to accept the prayer of the petitioner for the reason that though, the criminal case initiated against him has come to an end by an order dated 23.09.2014 passed by the learned II Metropolitan Magistrate, Egmore, the charge memo dated 26.04.2002 issued against him, containing several charges, have not come to an end. Therefore, the request made by the petitioner is liable to be rejected and accordingly, the Writ petition is dismissed. However, since the matter is pending for quite a long time, the disciplinary authority is hereby directed to proceed expeditiously with the pending departmental proceedings against the petitioner and pass orders preferably within a period of six months from the date of receipt of a copy of this order and the petitioner is directed to co-operate with them. No costs.

Sd/-
Asst.Registrar (CS VII)

/true copy/

Sub Asst. Registrar

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To

1. The Secretary to the Government
of Tamilnadu,
Transport Department, Secretariat,
Chennai - 600 009.

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

1 cc to Mr.R. Ramachandran, Advocate, Sr. 14262

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MSM (CO)
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