



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.11.2016

CORAM

THE HON'BLE Dr.JUSTICE S.VIMALA

W.P(MD) No.22788 of 2016

R.Rajkumar

... Petitioner

-vs-

The Additional Director,
Survey and Land Records Department,
Survey House,
Chepauk, Chennai - 5.

.. Respondent

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondent to consider the petitioner's representation dated 01.11.2016 for promotion to the post of Deputy Inspector of Survey within the time stipulated by this Court.

For petitioner ... Mr.R.V.Rajkumar

For Respondent ... Mr.T.S.Mohammed Mohideen
Additional Government Pleader

O R D E R

This is a writ of Mandamus seeking a direction to the respondent to consider the representation of the petitioner dated 01.11.2016, seeking promotion to the post of Deputy Inspector of Survey.

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader for the respondent. By consent, the writ petition itself is taken up for final disposal at the stage of admission.

3.Contending that pendency of charge memo cannot be an impediment for the promotion of the petitioner and also relying upon the judgment of the Hon'ble Supreme Court reported in **(1995) 2 SCC 570 (State of Punjab and others Vs.Chaman Lal Goyal)** the petitioner has submitted a representation dated 01.11.2016, requesting the respondents to consider his claim for promotion as Deputy Inspector of Survey and to grant promotion from the date on which his juniors were promoted. As his representation is not



considered, this writ petition has been filed.

4.The learned counsel for the petitioner submit that challenging the charge memo issued by the respondent on 27.01.2014, the petitioner has filed a writ petition in WP(MD) No.6923 of 2015 and this Court stayed the charge memo and that writ petition is pending.

5.The learned Additional Government Pleader for the respondent would submit that it is agreeable for the respondent to consider the representation of the petitioner dated 01.11.2016 and to pass orders.

6.Accordingly, the respondent is directed to consider the representation of the petitioner dated 01.11.2016 and pass appropriate orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

7.This writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

mj

To

The Additional Director,
Survey and Land Records Department,
Survey House,
Chepauk, Chennai - 5.

+1cc to Mr.R.V.Rajkumar Advocate Sr.No. 73844

+1cc to Spl.Government Pleader Sr.No. 74002

JAM/07.02.17/SKN/SAR 3/ 2P-4C

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