

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT****DATED: 25.05.2016****CORAM:****THE HONOURABLE MR.JUSTICE R.MAHADEVAN****W.P. (MD) No.9433 of 2016**

S.Jeevanantham : Petitioner
Vs.

1.The Transport Commissioner,
Elizhagam,
Chepauk, Chennai-05.

2.The Joint Transport Commissioner (A),
Elizhagam,
Chepauk, Chennai-05.

3.The Regional Transport Officer,
Srivilliputhur,
Virudhunagar District. : Respondents

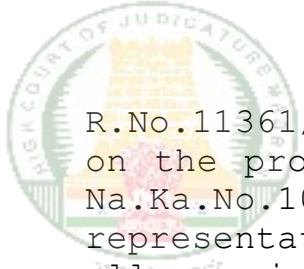
PRAYER: Writ Petition is filed under Article 226 of the Constitution of India for the issue of a Writ of Mandamus directing the respondents to fix the seniority of the Petitioner in the post of Assistant for the year 2011-2012 and thereby include his name for promotion to the panel of superintendent by placing him immediately to Mr.R.Swaminathan in view of the panel drawn by the 2nd respondent in his letter R.No.11361/R3/2016 dated 13.05.2015 (signed on 13.05.2016) based on the proposal sent by the 3rd respondent in his proceedings in Na.Ka.No.10223/E1/2016 dated 05.04.2016 as well as on the representation of the petitioner dated 20.05.2016 and thereby pay all service and monetary benefits within a time limit that may be stipulated by this Court.

For Petitioner : Mr.K.Gurunathan

For Respondents : Mr.N.S.Karthikeyan
Additional Govt. Pleader

O R D E R*********

This Writ Petition has been filed for issuance of writ of Mandamus directing the respondents to fix the seniority of the Petitioner in the post of Assistant for the year 2011-2012 and thereby include his name for promotion to the panel of superintendent by placing him immediately to Mr.R.Swaminathan in view of the panel drawn by the 2nd respondent in his letter



R.No.11361/R3/2016, dated 13.05.2015 (signed on 13.05.2016), based on the proposal sent by the 3rd respondent in his proceedings in Na.Ka.No.10223/E1/2016, dated 05.04.2016 as well as on the representation of the petitioner, dated 20.05.2016 and thereby pay all service monetary benefits within a time stipulated by this Court.

2.Heard the learned counsel for the petitioner and the learned Additional Government Pleader appearing for the respondents.

3.It is the case of the petitioner that his earlier representation sent to the respondents, for the purpose of fixing seniority in the post of Assistant for the year 2011-2012, was not considered and hence, following the proceedings in Letter No.11361/R3/2016, dated 13.05.2015, related to one R.Swaminathan, the petitioner pleaded before the respondents by submitting another representation, dated 20.05.2016 to consider his claim for similar relief. The said representation has also not been taken into consideration and hence, the petitioner is before this court.

4.In the above said circumstances, this court is inclined to direct the respondents to pass appropriate orders on the representation of the petitioner, dated 20.05.2016 on merits and in accordance with law, taking into consideration the proceedings dated 13.05.2015, within a period of 6 weeks from the date of receipt of a copy of this order.

5.With the above direction, the writ petition is disposed of. No costs.

Sd/-
Vacation Officer

/True Copy/

Sub Assistant Registrar

To

1.The Transport Commissioner,
Elizhagam,
Chepauk, Chennai-05.

2.The Joint Transport Commissioner (A),
Elizhagam,
Chepauk, Chennai-05.

3.The Regional Transport Officer,
Srivilliputhur,
Virudhunagar District.

+1cc to to Mr.E.Gurunathan (Advocate in SR.No.26919)

+1cc to Spl.GOvernemnt Pleader (Advocate Sr.No. 27193)

rj2/vs

JA/PEK/SAR-III/02.06.2016/2P-6C