



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.04.2016

WEB COPY

CORAM :

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD) Nos.20421 and 957 of 2013

In W.P. (MD) No. 20421 of 2013:

G.Lakshmi Kanthan

... Petitioner

Vs.

1.State of Tamil Nadu,
Rep. By its Secretary,
Department of Home,
Fort. St.George, Chennai.

2.The Director General of Police/Director,
Fire and Rescue Services,
Rukami Lakshmipathi Road, Egmore,
Chennai - 8.

... Respondents

In W.P. (MD) No. 957 of 2013:

M.Balakrishnan

... Petitioner

Vs.

1.State of Tamil Nadu,
Rep. By its Secretary,
Department of Home,
Fort. St.George, Chennai.

2.The Director General of Police/Director,
Fire and Rescue Services,
Egmore, Chennai - 8.

... Respondents

PRAYER: Writ Petitions are filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus, directing the respondents to promote the petitioners to the Rank of Station Officer (Transport) with effect from 14.05.2012 with all consequential benefits within the time stipulated by this Court.



In both writ petitions:

For Petitioner : Mr.T.Lajapathi Roy

For Respondents : Mr.G.Muthu Kannan
Government Advocate

C O M M O N O R D E R

The writ petitions have been filed for issuance of Writ of Mandamus, directing the respondents to promote the petitioners to the Rank of Station Officer (Transport) with effect from 14.05.2012 with all consequential benefits within the time stipulated by this Court.

2.Heard the learned counsel appearing on either side.

3.According to the petitioners, they were appointed in the post of Fireman on 29.12.1980 and they were periodically promoted till the post of Driver Mechanic. Since there were no proper avenues for promotion from the Post of Driver Mechanic, the Department heads have given various recommendations for speedy promotion of the said cadre and no tangible action was taken by the first respondent. The petitioner in W.P.(MD) No. 20421 of 2013 retired on 30.09.2012 and the petitioner in W.P.(MD) No.957 of 2013 retired on 30.06.2012 without getting promotion to the rank of Station Officer (Transport). In the meanwhile, the first respondent issued G.O.Ms. No.352 dated 14.05.2012. Based on the said G.O., 165 people were promoted and out of them, 157 people are juniors to the petitioners. According to the petitioner, the seniority shall be considered from the initial rank of Fireman, but, the second respondent has considered the seniority in the Rank of Driver Manchanic for finalization of promotion. Mentioning the above points, the petitioners have made a detailed representations on 22.12.2012 and 15.07.2013. The same did not fetch any reply from the respondents. Hence, the petitioners have filed the present writ petitions.

4. This Court, without going into the merits of the claim of the petitioners, directs the respondents to consider the representations of the petitioners, dated 22.12.2012 and 15.07.2013 in the light of the Government Order in G.O.Ms.No.352, Home (Police-XVII) Department) dated 14.05.2012 and pass appropriate orders on the same on merits and in accordance with law within a period of six weeks from the date of receipt of a copy of this order.



5.The writ petitions stand disposed of accordingly. No costs.

Sd/-

Assistant Registrar

/TRUE COPY/

Sub Assistant Registrar

To

1. The Secretary, State of Tamil Nadu, Department of Home,
Fort. St.George, Chennai.
2. The Director Generla of Police/Director,
Fire and Rescue Services, Rukami Lakshmipathi Road,
Egmore, Chennai - 8.

+1cc to Mr.T.Lajapathi Roy, Advocate, Sr.No.19942

cm

JM/AAL-MPA/04.05.2016/3P-4C

W.P (MD) Nos.957 of 2013
and 20421 of 2013
07.04.2016