

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.03.2017

CORAM:

THE HON'BLE MR. JUSTICE T. RAJA

W.P. No.6835 of 2017 & W.M.P. No.7398 of 2017

Vidhya Sivasailanathan

Petitioner

vs.

- 1 The Department of Atomic Energy
represented by its Deputy General Manager (HR)
VIII Floor, Vikram Sarabhai Bhavan
Anusakthi Nagar
Mumbai 400 094
- 2 The Head (HR)
Bharathiya Nabikiya Vidyut Nigam Ltd. (BHAVINI)
Kalpakkam
Kancheepuram District
- 3 The Chairman & Managing Director
Bharathiya Nabikiya Vidyut Nigam Ltd. (BHAVINI)
Kalpakkam
Kancheepuram District

Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking a writ of mandamus directing the respondents to grant the due promotion of Technical Officer/D post to the petitioner as per the order of the Selection Committee Meeting of the respondent and further representation dated 15.07.2016 and 25.02.2017 of the petitioner.

For petitioner Mr. S. Ilamvazhuthi

For respondents Mr. K. Srinivasamurthy
Additional Cent. Govt. Standing Counsel

ORDER

Mr. K. Srinivasamurthy, learned Additional Central Government Standing Counsel, accepts notice for the respondents. With consent, this writ petition is taken up for final disposal at the admission stage itself.

2 This writ petition has been preferred seeking a writ of mandamus directing the respondents to grant the due promotion of Technical Officer/D post to the petitioner as per the order of the Selection Committee Meeting of the respondent and her further representations dated 15.07.2016 and 25.02.2017.

3 According to the petitioner, she joined Bharathiya Nabhikiya Vidyut Nigam Ltd. (BHAVINI) as Health Physicist on 31.11.2012 as Technical Officer/C; since she fulfilled the requirement of three consecutive A1 grading (outstanding) in the Annual Performance Assessment, she was called for interview for promotion to the next cadre, viz., Technical Officer/D and she also partook in the interview on 20.06.2016; further, she was informed orally that the Departmental Promotion Committee has recommended her case as "fit" for promotion to the post of Technical Officer/D; yet, since she did not receive any communication regarding her promotion, she gave a representation dated 15.07.2016 and followed it up with another representation dated 25.02.2017 which have not yet been considered; hence, the present writ petition has been filed seeking the aforestated relief.

4 The learned Additional Central Government Standing Counsel submitted that the petitioner has not furnished the acknowledgement in support of having submitted the aforesaid representations and therefore, if the petitioner submits a fresh representation, that would be considered by the third respondent in the manner known to law within a reasonable time.

5 Considering the limited scope of the relief sought by the petitioner and also recording the aforesaid submission of the learned Additional Central Government Standing Counsel, without going into the merits of the matter, the petitioner is directed to submit a fresh representation to the third respondent within a period of one week from the date of receipt of a copy of this order and on receipt of such representation, the third respondent shall consider and pass orders on the same on its own merits and in accordance with law within a period of four weeks.

With the above directions, this writ petition stands disposed of. Costs made easy. Connected W.M.P. is closed.

-s/d-
Assistant Registrar(CSVI)

True Copy
Sub-Assistant Registrar

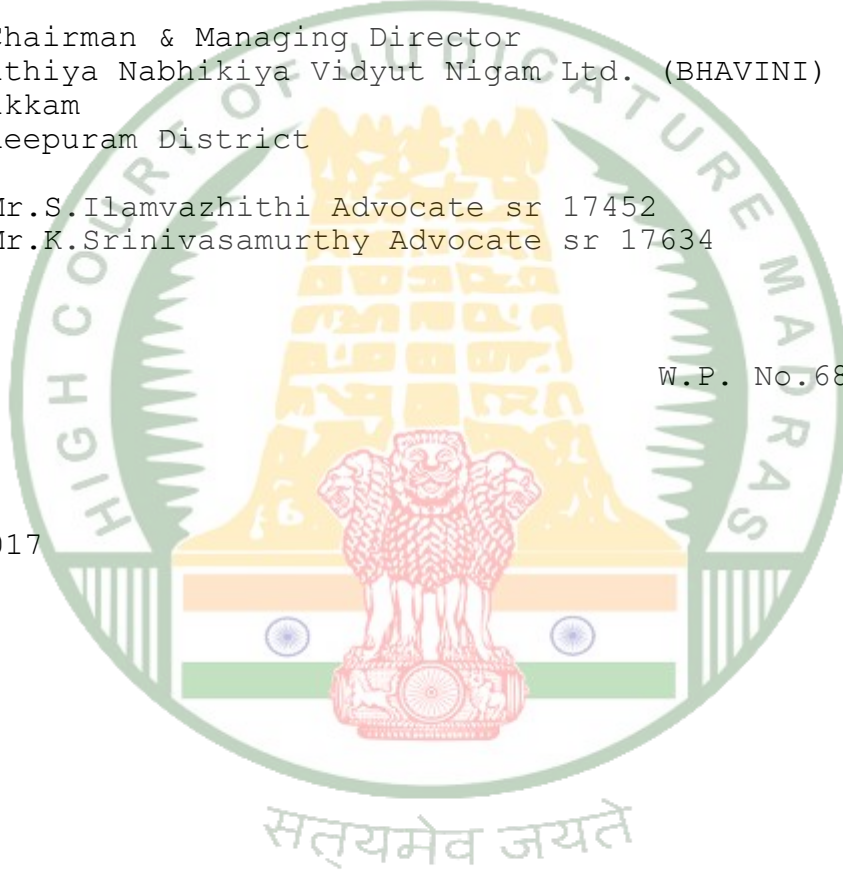
To

- 1 The Deputy General Manager (HR)
Department of Atomic Energy
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Kalpakkam
Kancheepuram District

+1 cc to Mr.S.Ilamvazhithi Advocate sr 17452
+1 cc to Mr.K.Srinivasamurthy Advocate sr 17634

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