IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 21.04.2017

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THE HONOURABLE MR.JUSTICE **T. RAJA**

W.P. No.9892 of 2017
and W.M.P. No.10892 of 2017

J.Vasudevan ... Petitioner

-vs-

1. State of Tamil Nadu
   Rep. by its Secretary to Government Employment
   and Training Department, Secretariat,
   Chennai - 600 009.

2. The Director,
   Directorate of Employment and Training,
   Guindy,
   Chennai - 600 032.

3. The Joint Director,
   Directorate of Employment and training,
   Guindy,
   Chennai - 600 032.

4. The Regional Director,
   Employment and Training,
   Coimbatore. ... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying to issue a writ of Mandamus directing the 2nd respondent to promote the petitioner as Manager of Government ITI as per the proceedings of the Director 2nd respondent bearing No.29360/P.A.2/2016 dated 04.04.2017 by placing him above his Junior Sethu Madhavan as per the impugned panel with all the attendant benefits both monetary and seniority.

For Petitioner : Mr.G.Muthukrishnan

For Respondents : Mr.P.Sanjaya Gandhi,
Additional Government Pleader

O R D E R

The petitioner has come to this Court seeking a direction to the second respondent to promote him as Manager of Government ITI as per the proceedings dated 04.04.2017 bearing No.29360/P.A.2/2016 passed by the Director/2nd respondent, by placing him above his Junior Sethu Madhavan, with all the attendant benefits both monetary and seniority.

2.When the petitioner was awarded with punishment of increment cut without cumulative effect for one year on 06.03.2013 and an appeal before the Secretary to Government of Tamil Nadu Employment and Training is still pending against him, before the completion of the punishment, he cannot come to this Court seeking a direction to the second respondent to promote him as Manager of Government ITI and therefore, this Court is not inclined to grant such a direction by invoking Article 226 of the Constitution of India.

3.Accordingly, the writ petition is dismissed. No costs. Consequently, connected W.M.P. is closed.

21.04.2017

Speaking/Non-Speaking Order
Index: Yes/No
vga

To

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T. RAJA,J.

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