

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.12.2017

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.33496 of 2017

P.Ganesan

.. Petitioner

-vs-

1. The Director  
IIT Madras (Indian Institute of Technology)  
Chennai 600 036
- 2.The Registrar  
IIT Madras (Indian Institute of Technology)  
Chennai 600 036
3. The Dean  
IIT Madras (Indian Institute of Technology)  
Chennai 600 036 .. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Mandamus, directing the 1 to 3 respondents to consider the representations dated 21.04.2015, 21.10.2017 and 22.11.2017 to promote the petitioner notionally as Deputy Security Officer in the Grade Pay of Rs.4,600/- with effect from 01.03.2014 will all consequential benefits.

For Petitioner :: Mr.R.Sankarasubbu

ORDER

This writ petition has been filed seeking issuance of a mandamus to the respondents 1 to 3 to consider the representations dated 21.04.2015, 21.10.2017 and 22.11.2017, wherein the petitioner has sought for notional promotion to the post of Deputy Security Officer in the Grade Pay of Rs.4,600/- with effect from 1.3.2014 with all consequential benefits.

2. Learned counsel for the petitioner also submitted that the petitioner had completed B.Com graduation during the year 1992, whereas some of the people in higher-ups had discriminated the petitioner, as a result he was unjustly denied his promotion. However, after his retirement on 31.5.2015 as Senior Security Inspector, some of his juniors were promoted on

22.2.2016 and 26.10.2017.

3. The above statement itself makes it clear that it is not the case of the petitioner that before his retirement on 31.5.2015, his juniors were given promotion. Only after his retirement with effect from 31.5.2015, his juniors were given promotion on 22.2.2016 and 26.10.2017. Therefore, the claim of the petitioner to consider his representations cannot be considered. Moreover, when the juniors were given promotion after his retirement, it is not known how the petitioner can make any claim, because the juniors, after his retirement, became seniors and they were given promotion. In case the juniors were given promotion prior to his retirement, then that would be a ground for the petitioner to come to this Court seeking notional promotion from the date on which his juniors were given promotion before his retirement. But that is not the case here. Hence, the writ petition is dismissed.

Sd/-

Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

ss  
To

1. The Director  
IIT Madras (Indian Institute of Technology)  
Chennai 600 036
2. The Registrar  
IIT Madras (Indian Institute of Technology)  
Chennai 600 036
3. The Dean  
IIT Madras (Indian Institute of Technology)  
Chennai 600 036

+1 cc to Mr.R.Sankarasubbu Advocate sr 91996

W.P.No.33496 of 2017

WEB COPY

aa10/01/2018