

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2017

CORAM

THE HONOURABLE MR. JUSTICE S.M.SUBRAMANIAM

WP.No.3834 of 2014

A. Selvam (Retired Fireman No.4587)

...Petitioner

Versus

The Director
Directorate of Fire & Rescue Services
Egmore
Chennai 600 008.

...Respondent

COMMON PRAYER: Writ petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus directing the respondent to promote the petitioner on par with his batch mates and fix his pay, consequently revise his pension.

For Petitioner : Dr.R.Sampathkumar

For Respondent : Mr.R.Vijayakumar
Additional Government Pleader

ORDER

The relief sought for in this writ petition is for a direction to direct the respondent to promote the petitioner on par with his batch mates and accordingly, revise his pay and pension.

2. The learned counsel appearing for the writ petitioner made a submission that the writ petitioner joined in the Fire Service Department on 01.04.1977. Thereafter, he has granted Selection Grade in the post of Fireman. The writ petitioner was promoted as leading Fireman on 28.10.1999 and on completion of 10 years of service, he was further promoted to the post of Leading Fireman Special Grade with effect from 28.10.2009 and retired on 30.11.2010.

3. However, the further promotions to the post of Station Fire Officer has not been granted to the writ petitioner on par with his junior. The learned counsel appearing for the

petitioner states that the seniority list was not properly communicated to the aggrieved persons.

4. In this regard, the writ petitioner made a representation to the respondent on 21.03.2011 and thereafter, a legal notice was also communicated to the respondent by the learned counsel for the petitioner on 31.10.2013. In spite of this, no decision is taken by the respondent nor any counter has been filed in this writ petition.

5. Under these circumstances, the 1st Respondent is directed to consider the representation submitted by the writ petitioner on 21.03.2011 and the further notice sent by the counsel on 31.10.2013 and pass appropriate orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

6. Accordingly the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

msrm/kak

To

The Director
Directorate of Fire & Rescue Services
Egmore
Chennai 600 008.

+1cc to Mr.R.Sampath Kumar, Advocate, S.R.No.72903

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RR(CO)
GN(08/11/2017)