

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.10.2017

CORAM

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

W.P.No.27404 of 2017

G.Raghavan

.. Petitioner

Vs.

1. The Additional Chief Secretary to Government,
Transport Department,
Secretariat, Chennai-9.

2. M/s.Tamil Nadu State Transport Corporation
(Kumbakonam) Limited
rep. by its Managing Director,
Railway Station New Road,
Kumbakonam-612 001.

.. Respondents

Writ Petition filed under Article 226 constitution of India for issuance of a Writ of Mandamus, directing the 1st respondent deemed to promote the petitioner as Assistant Manager w.e.f. 11.04.2007 and as Deputy Manager w.e.f. 30.06.2015 by considering the representation of the petitioner dated 03.08.2017.

For Petitioner

: Mr.D.Soundar Raj

For 1st Respondent

: Mr.RAS.Senthilvel,
Addl. Govt. Pleader

For 2nd respondent

: Mr.P.Kannan Kumar

ORDER

The Writ Petition has been filed for issuance of a Writ of Mandamus, directing the 1st respondent, deemed to promote the petitioner as Assistant Manager w.e.f. 11.04.2007 and as Deputy Manager w.e.f. 30.06.2015 by considering his representation dated 03.08.2017.

2. The petitioner was initially appointed as Technical Diploma Trainee on 27.08.1981 and then appointed as Junior Engineer on 01.10.1983 and subsequently, promoted as Assistant Engineer on 01.10.1990 and thereafter as Senior Assistant Engineer on 01.01.1999. Thereafter, on completion of his Bachelor of Engineering Degree, he was further promoted as Selection Grade Senior Assistant Engineer on 12.10.2005 and at last promoted as Assistant Manager on 30.06.2015 and while serving on that position, he retired from service on 31.05.2017 on attaining the age of superannuation.

3. The grievance of the petitioner is that three of his juniors, namely, V.Muthukarupiah, M.Subbu and K.M.Varisai Mohamed, who were appointed on 01.11.1984, 01.06.1986 and 01.06.1986 respectively were given promotion to the post of Assistant Manager on 11.04.2007. Again, they were further promoted to the post of Deputy

Manager on 30.6.2015 and 30.09.2015 respectively whereas the case of the petitioner has not been considered for promotion, although there is no departmental enquiry pending against the petitioner. In this regard, the petitioner has given a representation dated 03.08.2017 to the petitioner. But no action is forthcoming on the same. Hence, the present Writ Petition.

4. Though the writ petition has been filed seeking a direction to the 1st respondent to promote the petitioner as Assistant Manager w.e.f. 11.04.2007 and as Deputy Manager w.e.f. 30.06.2015 by considering his representation dated 03.08.2017, the learned Counsel for the petitioner now restricting his prayer would contend that it is suffice to dispose of the representation of the petitioner dated 3.8.2017.

5. Mr.RAS.Sentilvel, learned Additional Government Pleader takes notice for the 1st respondent and Mr.P.Kannan Kumar, learned Counsel takes notice for the 2nd respondent.

6. The learned Additional Government Pleader appearing for

the 1st respondent sought six weeks time to consider the representation of the petitioner by the 1st respondent.

7. In view of the limited prayer now made by the learned Counsel for the petitioner and also taking into consideration of the submission of the learned Additional Government Pleader appearing for the 1st respondent, without going into the merits of the claim made by the petitioner, this Court directs the 1st respondent to dispose of the representation of the petitioner dated 03.08.2017 on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this Order.

8. The Writ Petition is disposed of accordingly. No costs.

25.10.2017

Index : Yes/No
Internet : Yes/No
tsi

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To

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T.RAJA, J,

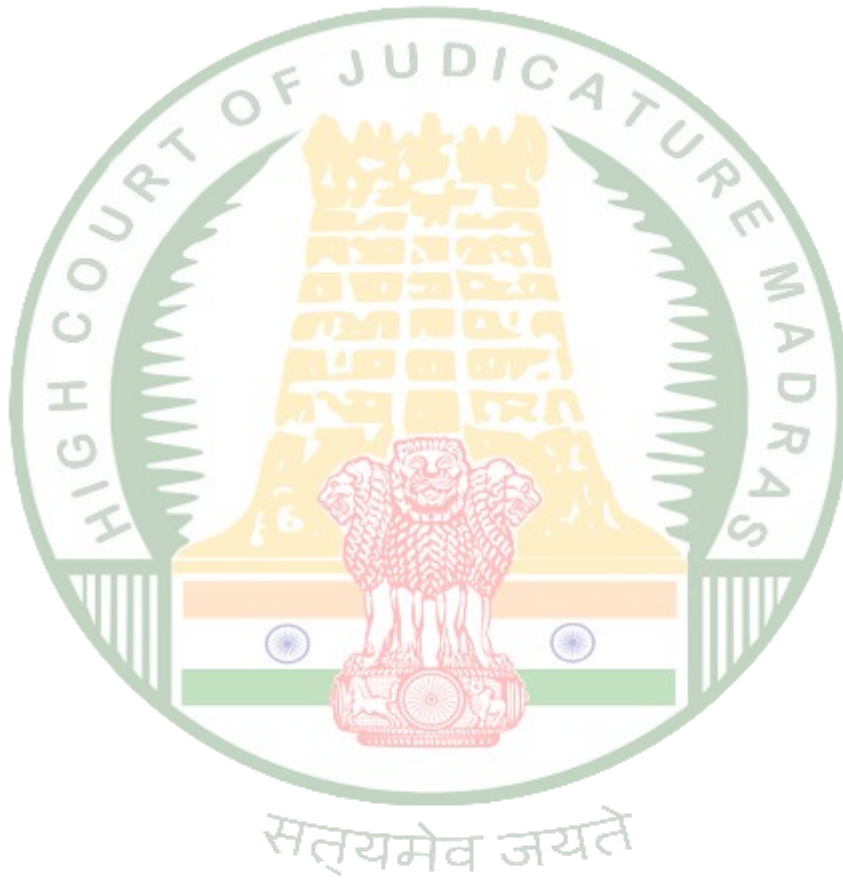
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