

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :20.11.2017

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.18822 of 2010

V.Loganathan

..Petitioner

vs

1.The State of Tamil Nadu,
represented by its Secretary to Government,
Finance(SS) Department,
Secretariat,
Chennai - 600 009.

2.The Commissioner of Small Savings,
735, Anna Salai,
Chennai - 600 002.

..Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to consider the representation of the petitioner dated 09.07.2010 to restore the retrospective promotion of the petitioner as Asst.Director of Small Savings on par with Mr.L.Kuppuswami and confer all consequential monetary and service benefits.

For Petitioner : Mr.M.Hidayathulla Khan

For Respondents : Mr.K.Thangapandi
Government Advocate

सत्यमेव जयते
O R D E R

The relief sought for in this writ petition is for a direction to the 1st respondent to consider the representation of the petitioner dated 09.07.2010 to restore the retrospective promotion of the petitioner as Asst.Director of Small Savings on par with Mr.L.Kuppuswami and confer all consequential monetary and service benefits.

2.The petitioner appearing as party-in-person made a submission that he was temporarily appointed as Steno-Typist in Secretariat on 26.03.1971. Subsequently, he was selected to the post of Steno-Typist through the Tamil Nadu Public Service Commission in the year 1971 and he was appointed as Steno-Typist

on 04.05.1973 and posted at Directorate of Small Savings. The petitioner has passed all the special tests prescribed for Declaration of Probation and full member of services. Further, the writ petitioner is qualified with B.A.(Economics), M.A. (Public Admn.) and P.G.Diploma in Business Administration. The petitioner claims that he is fully qualified for the post of Assistant Director of Small Savings. However, his promotion on par with his Junior Mr.L.Kuppuswami has been denied in this regard, the petitioner made a representation to the 1st respondent on 09.07.2010. However, the same is yet to be considered.

3.Thus, without going into the merits of the matter, the 1st respondent is directed to consider the representation submitted by the petitioner on 09.07.2010 and pass 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. The writ petitioner is also directed to enclose the copy of representation and other documents, if necessary, a fresh representation along with the order passed in this writ petition.

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

Sd/-
Deputy Registrar

/true copy/

Sub Asst. Registrar

To

1.Secretary to Government,
The State of Tamil Nadu,
Finance(SS) Department,
Secretariat,
Chennai - 600 009.

2.The Commissioner of Small Savings,
735, Anna Salai,
Chennai - 600 002.

+ 1 cc to Mr.M.Hidayathulla Khan Advocate,SR.82286

+ 1 cc to The Govt.Pleader, SR.82877

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NR 12/12/2017