

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Coram

Dated: 25.01.2017

The Honourable Mr. JUSTICE M.SATHYANARAYANAN

Writ Petition No.44213 of 2016

P.Ramar

... Petitioner

-Vs-

The Managing Director,
Tamilnadu State Transport Corporation (Salem)
Limited,
12, Ramakrishna Salai,
Salem - 636 007

... Respondent

Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus to direct the respondent Corporation to promote the petitioner to the post of Foreman with effect from 16.02.2016 and extend the monetary benefits by considering the representation dated 10.12.2016 of the petitioner.

For Petitioner : Mr.A.Nagarathinam

For Respondent : Mr.R.K.Gandhi

ORDER

By consent, the writ petition is taken up for final disposal. Mr.R.K.Gandhi, learned Standing Counsel accepts notice on behalf of the respondent.

2. The petitioner would state that he entered into service as Junior Technician on 08.09.1981 with employee No.TR 0772. The petitioner retired from service as Senior Technician on 30.06.2016 and he was relieved from the service and his last drawn monthly salary is Rs.46,948/-. According to the petitioner, while he was in service as Senior Technician, there were 18 vacancies of Foreman available and the respondent issued orders for promotion to the eligible senior technicians. The petitioner was also issued with an interview letter on 23.11.2015 along with 17 others to appear for interview on 30.11.2015 and due to family circumstances, he could not appear. Subsequently, an interview was conducted to the post of Foreman. The petitioner made a representation dated 10.02.2016 praying

permission to participate in the said interview, however, the petitioner was not issued with a call letter and as such, he could not appear and in the interregnum period, he retired on superannuation. The petitioner, in this regard, has also submitted a representation dated 10.12.2016 to the respondent praying for promotion to the post of Foreman with effect from 16.02.2016 and extend monetary and consequential benefits. Though it was received and acknowledged, no order came to be passed. Hence, he came forward to file this writ petition.

3. Heard the submission of the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondent/ Transport Corporation.

4. Though the petitioner prays for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the claim projected by the petitioner either in the writ petition or in the representation directs the respondent to consider and dispose of the petitioner's representation dated 10.12.2016 and pass orders on merits and in accordance with law within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

vsi

To

The Managing Director,
Tamilnadu State Transport Corporation (Salem)
Limited,
12, Ramakrishna Salai,
Salem - 636 007

+lcc to Mr.Nagarathinam, Advocate, S.R.No.4661

RP(CO)
RS(15/02/2017)

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