



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 03.07.2017

CORAM:

**THE HONOURABLE MR.JUSTICE T.RAJA**W.P (MD) No.12300 of 2017andW.M.P (MD) No.9461 of 2017

M.Shankar

... Petitioner

Vs.

1.The Secretary,

Department of Employment and Training,  
State of Tamil Nadu, Secretariat,  
Fort. St. George,  
Chennai - 600 009.

2.The Director,

Department of Employment and Training,  
Guindy, Chennai - 32.

3.The Joint Director, (CT)

Department of Employment and Training,  
Guindy, Chennai - 32.

4.The Principal,

Government Industrial and Training Institute,  
Ramanathapuram,  
Ramanathapuram District.

5.The Principal,

Government Industrial and Training Institute,  
Paramakudi,  
Ramanathapuram District.

.. Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, calling for the entire records connected with the relieving order, dated 16.06.2017 in Na.Ka.No.48/2017 passed by the respondent No.4 and quash the same as illegal, consequently directing the respondent No.4 to reissue fresh relieving order by citing செ.மு.உணை.எண்/தொறுப/34113/2016, dated 22.04.2017 in the reference of the impugned order instead of செயல்முறை உணை எண்/தொறுப/34113/2016, dated 08.03.2017 within the time stipulated.

For Petitioner

: Mr.S.Malaikani

<https://hcservices.ecourts.gov.in/hcservices/>

For Respondents

: Mr.R.Karthikeyan

Additional Government Pleader

O R D E R

By consent of both sides, this writ petition itself is taken up for final disposal.

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2.This writ petition has been filed challenging the impugned order, dated 16.06.2017 on the ground that when the petitioner was working as Junior Training Officer (MMV) in the fourth respondent Government Industrial Training Institute, the third respondent prepared a list of eligible candidates to be promoted to the post of Assistant Training Officer, by the proceedings, dated 08.03.2017. Subsequently, a Relieving order, dated 16.06.2017 has been issued by the fourth respondent, but the said order has been served upon the petitioner only on 19.06.2017. Since the petitioner was on Earned Leave from 12.06.2017 to 16.06.2017, after completion of the said leave, he returned to the office only on 19.06.2017. Only at 01.00 p.m., on 19.06.2017 he was informed that he has been promoted to the post of Assistant Training Officer. Therefore, the petitioner cannot be transferred or informed of his promotion with serving a copy of the order, dated 16.06.2017.

3.Secondly, if the petitioner joined the office, where he has been promoted belatedly, this would also cause further problem to the petitioner in respect of his seniority. But this two contentions do not carry any merit for the reason that in the representation, dated 20.06.2017, the petitioner has made a clear admission that he went on Earned Leave on 12.06.2017 to 16.06.2017. Therefore, admittedly, when the relieving order was issued on 16.06.2017, since 17.06.2017 and 18.06.2017 are Saturday and Sunday, being holidays, the petitioner while returning to the Office on 19.06.2017, was informed about his promotion. Therefore, there is absolutely nothing wrong on the part of the respondent in informing him about his promotion and issuing the relieving order to go and join his duty in the promoted place. This Court also finds no merit in this petition.

4.Finding that the petitioner has come to this Court, without any reason, this petition fails and is dismissed. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar(Writs)

/True Copy/

Sub-Assistant Registrar



To

1.The Secretary,  
Department of Employment and Training,  
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Chennai - 600 009.

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5.The Principal,  
Government Industrial and Training Institute,  
Paramakudi,  
Ramanathapuram District.

+One cc to The Special Government Pleader, SR.No.63308

+One cc to Mr.S.Malaikani, Advocate, SR.no.63210

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RL/8C/3P/MR/KKR/SAR1/14/7/2017

W.P.(MD)No.12300 of 2017

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