



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.08.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. (MD) No.14829 of 2017

G.Ramaiah

... Petitioner

Vs.

State of Tamil Nadu,
Repsented by its Principal Secretary to the Government/
Additional Chief Secretary,
Department of Rural Development and Panchayat Raj,
Chennai-9.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondent to grant promotion to the petitioner in the post of Additional Director of Rural Development and subsequent conferment as Indian Administrative Service Officer with all consequential benefits within the time period stipulated by this Court.

For Petitioner : Mr.T.Lajapathi Roy
For Respondent : Mr.D.Muruganantham
Additional Government Pleader

O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who takes notice for the respondent.

3. The petitioner has come to this Court seeking a Writ of Mandamus directing the respondent to grant promotion to him to the post of Additional Director of Rural Development and subsequent confirmation as Indian Administrative Service Officer with all consequential benefits.

4. The learned counsel appearing for the petitioner would submit that the petitioner suffered disciplinary proceedings in the year 1999, which ended in punishment of stoppage of increment for three months, without affecting his pension, vide G.O.(D)No.561 dated 24.12.1999. As a result, he was not included in the promotion



list drawn in the year 1998-99. Since the Enquiry Officer submitted a report holding that the other five charges having not been proved, accepting the findings of the Enquiry Officer, the Government decided to drop the proceedings in G.O.(D)No.7 dated 07.03.2000. However, he was again denied promotion.

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5. He further submitted that the petitioner, once again, faced third disciplinary proceedings in the year 2006, which ended with punishment of stoppage of increment for three years with cumulative effect vide G.O.(D)No.152 dated 18.03.2009. Therefore, the claim of the petitioner is that after 18.03.2009, his name should have been considered for promotion. Therefore, he has given a representation on 17.07.2017. However, the same has not been considered so far. Hence, the petitioner is before this Court with this writ petition.

6. It is seen that the disciplinary proceedings came to an end in the year 2009. However, the petitioner has given his representation only on 17.07.2017, wherein, he has simply mentioned that some of his juniors were given promotion. But nowhere in the representation, the names of his juniors and in which date, they were given promotion has been mentioned. Therefore, this Court finds no merits in the writ petition. Equally no reasonable explanations leave alone sufficient cause is found for delay.

7. Therefore, the writ petition fails and the same is dismissed. No costs.

Sd/-
Assistant Registrar (Records)

/True Copy/

Sub Assistant Registrar

To

The Principal Secretary to the Government/
Additional Chief Secretary,
Department of Rural Development and Panchayat Raj,
Chennai-9.

+ 1 CC TO Mr.T.LAJAPATHI ROY, ADVOCATE IN SR No. 71749
+ 1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No. 71982

RR
TE/KP/SAR-II : 06/09/2017 : 2P/4C

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