



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2017

CORAM:

WEB COPY

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P.(MD) No.2774 of 2017

K.Thirugnanasambandan

... Petitioner

-vs-

1. The Principal Secretary to Government,
Transport Department,
Government of Tamil Nadu-cum-Ex-Officio Chairman,
All Tamil Nadu State Transport Corporation Limited,
Fort St.George, Chennai-600 009.

2. The Managing Director,
Tamil Nadu State Transport Corporation,
Madurai Ltd., Bye-pass Road,
Madurai District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, directing the respondents to promote the petitioner from Assistant Manager to Deputy Manager (Legal Non-Technical) in the available vacancies by considering the petitioner's representation dated 11.11.2016 in the light of Circular Resolution 59/25th BDM 2015-2016 dated 26.02.2016.

For Petitioner : Mr.K.K.Ramakrishnan
For R1 : Mr.S.Sathish Kumar
Addl. Govt. Pleader
For R2 : Mr.A.P.Muthupandian

O R D E R

This writ petition has been filed, seeking to direct the respondents to promote the petitioner from Assistant Manager to Deputy Manager (Legal Non-Technical) in the available vacancies by considering the petitioner's representation dated 11.11.2016 in the light of Circular Resolution 59/25th BDM 2015-2016 dated 26.02.2016.

2. The case of the petitioner is that despite having sufficient service, his name has not been considered for promotion, though one similarly placed person was promoted as Deputy Manager (Legal) by relaxing the service rules; that the petitioner has submitted several representations, last one of which was dated 11.11.2016 for promotion and since no order has been



passed on his representation, the petitioner is before this Court, seeking the direction stated supra.

3. Heard the learned counsel for the petitioner and the learned Additional Government Pleaer appearing for the 1st respondent, who would submit that the 1st respondent is prepared to consider the representation of the petitioner and to pass suitable orders on the same.

4. In view of the limited scope of the prayer sought for by the petitioner, this Court, without expressing any opinion on the merits of the matter, directs the first respondent to consider the representation dated 11.11.2016, submitted by the petitioner and to pass appropriate orders thereon on merits and in accordance with law within a period of one month from the date of receipt of a copy of this order, if there is no legal impediment to do so.

5. With the above direction, this Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To:

1. The Principal Secretary to Government,
Transport Department,
Government of Tamil Nadu-cum-Ex-Officio Chairman,
All Tamil Nadu State Transport Corporation Limited,
Fort St.George, Chennai-600 009.
2. The Managing Director,
Tamil Nadu State Transport Corporation,
Madurai Ltd., Bye-pass Road,
Madurai District.

+1cc to Mr.K.K.Ramakrishnan, Advocate, Sr.No. 9607
+1cc to Mr.A.P.Muthupandian, Advocate, Sr.No. 9482

W.P. (MD) No.2774 of 2017
21.02.2017

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AAM-JM-SAR 1/1.3.2017/2P-5C