



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.11.2017

C O R A M

WEB COPY

THE HONOURABLE MR.JUSTICE P.D.AUDIKESAVALU

W.P.(MD)No.5893 of 2011

and

M.P.(MD)No.1 of 2011

F.Ismail Pilla Annavi

... Petitioner

Vs.

1.The Principal Secretary,  
Micro Small & Medium Enterprises Department,  
(MS ME Dept), Secretariat,  
Chennai.

2.The Industries Commissioner and  
Director of Industries & Commerce,  
Chepauk, Chennai-5.

3.The General Manager,  
District Industries Centre,  
Virudhunagar,  
Virudhunagar District.

4.The Deputy Director,  
Industries & Commerce,  
(Industrial Co-operatives),  
District Industries Centre,  
Virudhunagar District.

...Respondents

**Prayer:** Writ Petition filed under Article 226 of the constitution of India, to issue a writ of Mandamus directing the respondents 2, 3 & 4 to consider the petitioner's application dated 12.12.2010 and further to include petitioner name in the promotion panel of the year 2010-2011 for the post of Assistant Director of industries and Commerce (IC) in category 3 of TNIS.

For Petitioner : Mr.K.Dinesh Babu

For Respondents : Mr.R.Velmurugan, G.A

**O R D E R**

This Writ Petition has been filed for a direction to the 2 to 4 respondents to consider the petitioner's application dated 12.12.2010 made by the petitioner and to include his name in the promotion panel for the year 2010-2011 for the post of Assistant Director of industries and Commerce (IC) in category 3 of Tamil Nadu Industries Subordinate Service.



2.The respondents have filed their counter stating that the petitioner could not be considered for promotion, since the petitioner suffered from the penalties of misconduct during the period in question.

3.Having regard to the fact that the limited relief has sought for by the petitioner, this Court, without expressing any view on the correctness or entitlement of the claim made, directs the second respondent to dispassionately consider the application dated 12.12.2010 made by the petitioner and pass reasoned orders on merits in accordance with law and communicate the same to the petitioner and file a report of such compliance before the Registrar (Judicial) of this Court on or before 31.01.2018.

4.This Writ Petition is disposed of with the aforesaid direction. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(Cs-II)

/True Copy/

Sub Assistant Registrar

To

1.The Principal Secretary,  
Micro Small & Medium Enterprises Department,  
(MS ME Dept), Secretariat,  
Chennai.

2.The Industries Commissioner and  
Director of Industries & Commerce,  
Chepauk, Chennai-5.

3.The General Manager,  
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Virudhunagar,  
Virudhunagar District.

4.The Deputy Director,  
Industries & Commerce,  
(Industrial Co-operatives),  
District Industries Centre,  
Virudhunagar District.

**Copy to :** The Registrar(Judicial)

Madurai Bench of Madras High Court, Madurai.

+1cc to THE SPECIAL GOVERNMENT PLEADER in SR. No. 86245

+1cc to Mr.V.MANIKANDAN Advocate in SR. No. 85849

TA

JS/JC/SAR.3/16.11.2017/2P-8C

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**W.P. (MD) No.5893 of 2011**

**08.11.2017**