

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.04.2018

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.Nos.9032 & 9033 of 2017

G.P.Madankumar Petitioner in W.P.No.9032/2018

N.Veeraragavan Petitioner in W.P.No.9033/2018

Vs.

1.The Secretary to Government
Home (Transport IV) Department
Fort St George, Chennai - 9.

2.The Commissioner of Transport
Chepauk, Chennai - 5. Respondents in both WPs

Prayers: Writ Petitions filed under Article 226 of the Constitution of India praying for issuance of a Writs of Mandamus, directing the respondents to revise and restore the seniority of the petitioners in the cadre of Assistant and promote him as Assistant by including his name in the panel of Assistants for the year 2012-13 notionally at par with his junior Lakshmikanth Kalathi and further promote him as Superintendent in relaxation of the Rules as done in G.O.Ms.No.766, Home (Transport-IV) Department dated 13.10.2014 and G.O.Ms.No.80, Home (Transport-IV) Department dated 20.01.2017, in the light of the representation made by the petitioner dated 23.01.2017, 16.02.2018 and 09.03.2017 with all consequential service and monetary benefits within a stipulated time frame.

For Petitioners : Mr.K.Venkata Ramani, Senior Counsel
For Mr.M.Muthappan

For Respondents : Mr.V.Kadhirvelu
Special Government Pleader

C O M M O N O R D E R

Heard Mr.K.Venkata Ramani, learned Senior Counsel for Mr.M.Muthappanand, learned counsel on record for the writ petitioners and Mr.V.Kadhirvelu, learned Special Government Pleader appearing for the respondents. With the consent of the learned counsel appearing on either side, the Writ Petitions are taken up for final disposal at the admission stage.

2.The grievance of the writ petitioners are that there is an administrative delay in sponsoring the writ petitioners to undergo Bhavani Sagar Training, which is mandatory for declaration of probation and for granting further promotions.

3.The sole contention of the writ petitioners are that they are not at fault and due to the administrative delay caused at the instance of the respondents they cannot be made to suffer. With this grievance, the present Writ Petitions are moved and the learned counsel appearing for the writ petitioners contended that it is suffice that the representations submitted by the writ petitioners are directed to be considered. In view of the restricted prayer sought for, this Court is inclined to consider the arguments advanced by the learned counsel for the writ petitioners.

4. Accordingly, the first respondent is directed to consider the representations submitted by the writ petitioners on 23.01.2017, 16.02.2018 and 09.03.2017 and pass appropriate orders, on merits and in accordance with law, within a period of twelve(12) weeks from the date of receipt of a copy of this order. The writ petitioners are directed to submit copies of the representations dated 23.01.2017, 16.02.2018 and 09.03.2017, along with the copy of the order passed today in these writ petitions to the first respondent.

5.Accordingly, the Writ Petitions stand disposed of. However, there is no order as to costs.

Sd/-

Asst.Registrar (CS II)

/true copy/

Sub Asst. Registrar

may a

To

1.The Secretary to Government
Home (Transport IV) Department
Fort St George, Chennai - 9.

2.The Commissioner of Transport
Chepauk, Chennai - 5.

+2cc to Mr.M.Muthappan, Advocate, S.R.No.27968, 27966

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MR (CO)

RRK(17/05/2018)



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