

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 11.10.2018

CORAM :

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.6437 of 2013

C.S.Ravindran

... Petitioner

VS.

1.The Government of Tamil Nadu,
rep.by the Secretary to the Government,
Home (Prisons) Department,
Fort St.George, Chennai - 600 066.

2. Mr.V.Karuppannan

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, for issuance of a writ of Mandamus directing the respondent to pass orders on the representation submitted by the petitioner on 09.01.2012 praying for inclusion of his name in the panel of Deputy Jailors fit for appointment by recruitment by transfer to the post of Jailor for the year 1999-2000 issued in G.O.Ms.No.1434 Home (Prison-I) Department, dater 12.10.2007 and for consequent promotion as regular Superintendent of Prisons by including his name in the regular panel of Superintendents for the year 2011-2012 above the name of Mr.V.Karuppannan.

For Petitioner : Mr.P.Manoj Kumar

For Respondent : Mr. A.Ansar for R1
Government Advocate
None appeared for R2

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O R D E R

The relief sought for in this present writ petition is for a direction to direct the respondent to pass orders on the representation submitted by the writ petitioner on 09.01.2012.

2. The grievances of the writ petitioner is that, on account of the currency of punishment, the promotions due to the writ petitioner was deferred. It is now brought to the notice of this Court that, the punishment imposed on the writ petitioner was

set aside and further the Competent Authority submitted a proposal to the Government for grant of promotion to the writ petitioner on par with his juniors.

3. The learned counsel for the writ petitioner contended that, during the pendency of the writ petition, the writ petitioner attained the age of superannuation on 31.05.2017 and retired from service. Under these circumstances, if the punishment already docked for the writ petitioner and if there was no other impediment for considering the name of the writ petitioner for promotion on par with his junior notionally and grant all consequential benefits, the same shall be considered in the light of the Rules in force.

4. In this regard, the first respondent is directed to consider the representation submitted by the writ petitioner on 09.01.2012 and pass orders on merits and in accordance with law within a period of 12 weeks from the date of receipt of a copy of this order. The writ petitioner is directed to enclose a copy of the representation and all other relevant documents along with the order passed in this writ petition.

5. Accordingly, the writ petition stands disposed of. However, no order as to costs.

Sd/-
Asst.Registrar (CS VI)

/true copy/

Sub Asst. Registrar

pkn

To

The Secretary,
Government of Tamil Nadu,
Home (Prisons) Department,
Fort St.George, Chennai - 600 066.

W.P.No.6437 of 2013

nr 01/11/2018