

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :29.08.2018

CORAM

THE HONOURABLE MR. JUSTICE SATRUGHANA PUJAHARI

W.P. No.22131 of 2018 and WMP.No.25933 of 2018

P.Murugesan

..... Petitioner

Vs

1. The Commissioner of Labour,
O/o. The Commissioner of Labour,
The DMS Compound,
Chennai 600 018.
2. The Additional Chief Secretary to
Transport Department,
Secretariat, Chennai 600 009.
3. The Special Officer, Chairman's Office,
The Transport Department C-1 Section,
Secretariat, Chennai 600 009.
4. The Managing Director,
The State Express Transport Corporation,
No.2, Thiruvalluvar Illam,
Pallavan Salai, Chennai 600 002.

..... Respondents

PRAYER Writ petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus or any other appropriate Writ or Direction more particularly in the nature of Writ of Mandamus directing the respondents to consider and dispose of the petitioner's representation dated 14.08.2018 to provide the Time Bound Promotion to the petitioner, the procedure already decided as per the provisions under Section 12(3) Settlement of the Year 2010 and as per the Common Service Rules that 50% of the vacancies 1:1 in the Supervisor post should be given priority to Foreman / Junior Engineer post from Non Diploma and Diploma holders on the basis of seniority within time frame.

For Petitioner : Mr. R.Y.George Williams
For Respondents : Mr.S.Suresh Kumar
Government Advocate for R1 to R3
Mr. P.Kannan Kumar,
Standing Counsel for R4

O R D E R

It appears that the petitioner has filed a representation before the 4th respondent to consider his case for promotion in accordance with law, inasmuch as, the 4th respondent is going to accord promotion to the persons who are ineligible to the promotional post ignoring the case of the petitioner and hence, the petitioner has come forward to file this writ petition seeking for a Mandamus to direct the respondents to consider and dispose of the petitioner's representation dated 14.08.2018.

2.Mr.P.Kannan Kumar, learned standing counsel appearing for 4th respondent submit that if such representation is pending, the same shall be considered within a stipulated period but this Court should not put any fetter on the merits of the representation that is required to be addressed in accordance with law.

3. Considering the facts and submissions made, this Court dispose of this writ petition with a direction to the respondents to consider the representation of the petitioner if the same is pending, as expeditiously as preferably within a period of two weeks from the date of receipt of copy of this order in accordance with law. However, it is made clear that this Court has not expressed any opinion on the merits of such representation in any manner.

4. With the aforesaid direction, this writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar (Audit)

//True copy//

सत्यमेव जयते
Sub Assistant Registrar

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To

1. The Commissioner of Labour,
O/o. The Commissioner of Labour,
The DMS Compound,
Chennai 600 018.
2. The Additional Chief Secretary to
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Chennai 600 009.

3. The Special Officer, Chairman's Office,
The Transport Department C-1 Section,
Secretariat, Chennai 600 009.

4. The Managing Director,
The State Express Transport Corporation,
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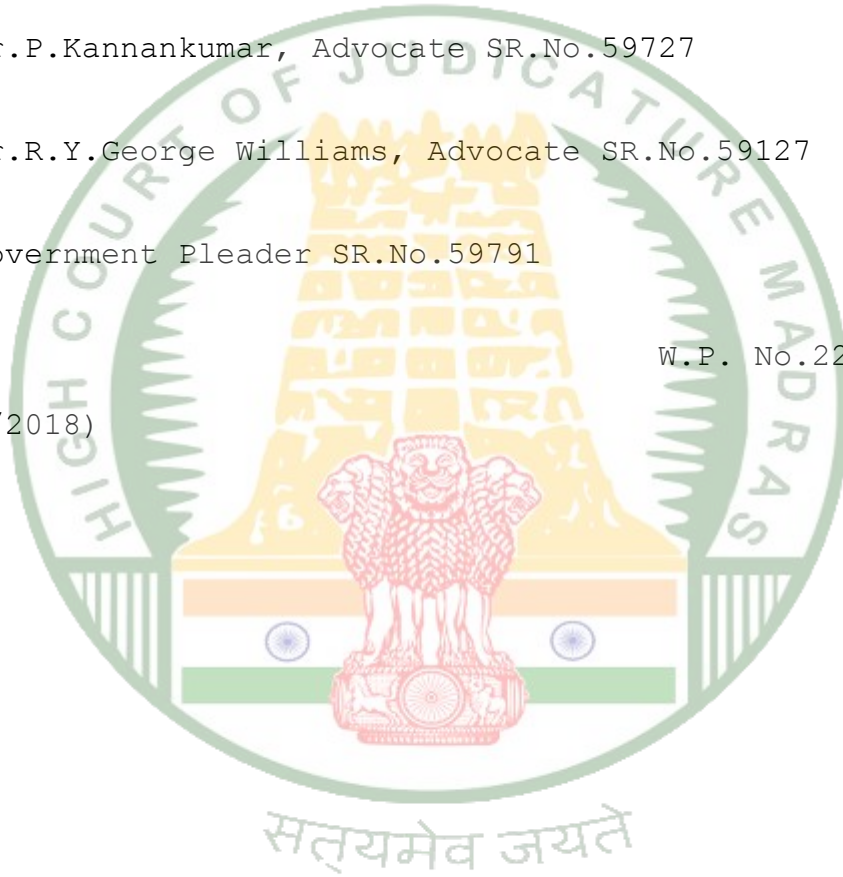
+1cc to Mr.P.Kannankumar, Advocate SR.No.59727

+1cc to Mr.R.Y.George Williams, Advocate SR.No.59127

+1cc to Government Pleader SR.No.59791

W.P. No.22131 of 2018

GMV (12/09/2018)



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