

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.05.2018

CORAM

THE HONOURABLE MRS.JUSTICE V.BHAVANI SUBBAROYAN

W.P.No.12939 of 2018
and W.M.P.No.15193 of 2018

1.R.Sudarsan
2.C.Madasamy
3.P.Rajendran

... Petitioners

Vs.

The Chairman,
Tamil Nadu Slum Clearance Board,
Chennai-600 005.

... Respondent

Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Mandamus, to direct the respondent to consider the petitioners' representation seeking promotion, dated 21.03.2018, 30.04.2018 and 07.05.2018 and within a stipulated time frame as may be fixed by this Hon'ble Court and pass further orders.

For Petitioners: Mr.G.Mutharasu

For Respondent : Mr.S.Prabu

O R D E R

The petitioners seek for issuance of Writ of Mandamus to direct the respondent to consider their representations dated 21.03.2018, 30.04.2018 and 07.05.2018 within a stipulated time.

2. The petitioner would submit that the respondent Board has prepared the panel list for the post of Assistant Executive Engineers dated 18.04.2018, for the year 2017-18 to fill up the regular vacancies. The petitioners' names were included in the promotion panel list, but, they were not promoted as Assistant Executive Engineers and some other Assistant Engineers were promoted as Assistant Executive Engineers on 18.04.2018 and the respondent has not selected these persons and shown discrimination, which is violative of Article 14 of the Constitution of India.

3. The petitioners have submitted that there was a Board proceedings on 18.04.2018. It observed that "the above promotions were ordered with pending finalization of seniority list of Junior Engineer and Assistant Engineer by the Government in W.P.No.36963/2015 filed by Mr.V.Dhayalan and W.P.No.7013 of 2017 and in W.A.No.3 of 2018 filed by Tmt.R.Revathy, Assistant Executive Engineer and in W.A.Sr.No.21083 of 2018 filed by the Board". The fact remains that Revathi and Dayalan did not challenge the above seniority list, since they belong to different category. Now, these persons being aggrieved by their non-promotion, have sent representations on the above said dates and they seek this Court to direct the respondent to consider their representations.

4. Heard the learned counsel on both sides.

5. In view of above, the respondent is directed to consider the representations dated 21.03.2018, 30.04.2018 and 07.05.2018 of the petitioners and pass orders, within a period of six weeks from the date of receipt of a copy of this order, as per the prevailing Act and the law regarding appointments in Tamil Nadu Housing Board.

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

Sd/-
Assistant Registrar/
Vacation Officer

//True Copy//

Sub Assistant Registrar

abr/Rj
To
The Chairman,
Tamil Nadu Slum Clearance Board,
Chennai-600 005.

+1cc to M/s.G.Mutharasu, Advocate Sr.No.34007

RSK(CO)
sm:29.5.2018

W.P.No.12939 of 2018
and W.M.P.No.15193 of 2018