

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 24.01.2018
CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.1480 of 2018
and WMP.No.1883 of 2018

S.Ramesh

... Petitioner

Vs.

1.The Additional Director General of Police /
Inspector General of Prisons,
Whannels Road, Egmore,
Chennai-8.

2.The Superintendent of Prisons,
Central Prison, Coimbatore-18. ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus to consider his representations dated 23.12.2013, 4.8.2017 and 09.01.2018 to consider the petitioner for promotion from the post of Boiler Fireman to the post of Boiler Attendant in accordance with the rules in force.

For Petitioner : M/s.J.E.Selvin Albert Holmes

For Respondents : Mr.N.Sakthivel
Additional Government Pleader

O R D E R

This Writ Petition has been filed seeking a Writ of Mandamus directing the respondents to consider the petitioner's representations dated 23.12.2013, 04.08.2017 and 09.01.2018, seeking promotion from the post of Boiler Fireman to the post of Boiler Attendant in accordance with the rules in force.

2. The petitioner was appointed as Boiler Fireman in Central Prison, Coimbatore on 13.01.1999 and the said post is included under Category 38 of the Tamil Nadu Jail Subordinate Service Rules. Since the post of Boiler Attendant included in the said Rules under Category 29 fell vacant from 30.01.2003, the petitioner was given additional in-charge of the said post and he is discharging the said additional in-charge duty till date. The second respondent, being the appointing authority, instead of filling up by promotion or recruitment by transfer to the post of Boiler Attendant, called for applications through direct

recruitment by paper advertisement. The petitioner, in this regard, has submitted representations to the respondents to consider him to the said post, as he is fully qualified to hold the said post, but till date it was not considered and hence, came forward with this writ petition.

3. Mr.N.Sakthivel, learned Additional Government Pleader, who takes notice for the respondents, sought for sufficient time to consider the pending representation.

4. Since the second respondent has already initiated selection process to fill up the post of Boiler Attendant and in the light of the fact the petitioner was given additional in-charge of the said post while serving as Boiler Fireman, this Court, directs the second respondent to consider the petitioner to the said post, if he is qualified and eligible as per the relevant rules and pass appropriate orders on merits and in accordance with law within a period of four weeks from the date of receipt of a copy of this order.

5. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

jvm
To

1.The Additional Director General of Police /
Inspector General of Prisons,
Whannels Road, Egmore,
Chennai-8.

2.The Superintendent of Prisons,
Central Prison, Coimbatore-18.

+1cc to Government Pleader Sr.No.6071
+1cc to Mr.D.Kingslin, Advocate SR.No.5322

KJI (CO)
sm:8.2.2018 nm

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