

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.01.2018
CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.5879 of 2015

Muruganandam
S/o Ganesan

.. Petitioner

-vs-

1. The Director of Fire & Rescue Services
Greams Road
Chennai 600 006

2. The Deputy Director
Fire & Rescue Services
Central Region, Trichy

3. The District Fire Officer
Thiruvarur District
Thiruvarur

.. Respondents

Petition under Article 226 of the Constitution of India, praying for the issue of a Writ of Certiorarified Mandamus, calling for the records of the respondents in connection with the impugned order passed by the first respondent in Na.Ka.No.14225/Aa1/2013 dated 29.7.2013 and the impugned order passed by the second respondent in Mu.Mu.No.1136/Aa1/2011, Pa.Oo.136/2011 dated 2.6.2011 and Na.Ka.No.5163/Aa1/2014 dated 6.1.2015 and quash the same in so far as the petitioner is concerned and further direct the respondents to permit the petitioner to participate in the promotion board for the post of Leading Fireman for the year 2014-15 in Thiruvarur District and promote him as Leading Fireman and grant him all consequential service and monetary benefits.

For Petitioner : Mr.K.Venkataramani
Senior Counsel for
Mr.M.Muthappan

For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

ORDER

This writ petition has been filed seeking issuance of a writ of certiorarified mandamus, calling for the records of the respondents in connection with the impugned order passed by the first respondent in Na.Ka.No.14225/Aa1/2013 dated 29.7.2013 and

the impugned order passed by the second respondent in Mu.Mu.No.1136/Aa1/2011, Pa.Oo.136/2011 dated 2.6.2011 and Na.Ka.No.5163/Aa1/2014 dated 6.1.2015 and quash the same in so far as the petitioner is concerned and further direct the respondents to permit the petitioner to participate in the promotion board for the post of Leading Fireman for the year 2014-15 in Thiruvavarur District and promote him as Leading Fireman and grant him all consequential service and monetary benefits.

2. Heard the learned senior counsel for the petitioner and the learned Special Government Pleader for the respondents.

3. The issue raised in this writ petition is no longer res integra, as I have considered a similar matter in W.P.No.4957 of **2015*** dated 2.1.2018 (S.Rajakumaran v. The Director of Fire & Rescue Services, Chennai & others) and allowed the writ petition holding as follows:-

"7. Accordingly, the impugned orders are set aside in so far as the petitioner is concerned and the writ petition is allowed. The respondents are directed to include the name of the petitioner in the "C" list for promotion to the post of Leading Fireman for the year 2013-2014 in Thiruvavarur District and give him promotion. Needless to mention that the petitioner would be entitled to all consequential service and monetary benefits. No costs. Connected M.Ps are closed."

4. In view thereof, since the petitioner is also a similarly placed person, the impugned orders are set aside and the writ petition is allowed. The respondents are directed to include the name of the petitioner in the "C" list for promotion to the post of Leading Fireman for the year 2014-15 in Thiruvavarur District and give him promotion. Needless to mention that the petitioner would be entitled to all consequential service and monetary benefits. Consequently, M.P.No.1 of 2015 is closed. No costs.

Sd/-

Assistant Registrar(CS IV)

dt. 30/11/2015

Corrected as per order of this Court dated 11.4.2018 made in WP.5879 of 2015

Sd/-

Assistant Registrar(CS-VII)

dt. 20/04/2018

//True Copy//

Sub Assistant Registrar

ss

To

1. The Director of Fire & Rescue Services
Greams Road
Chennai 600 006.

2. The Deputy Director
Fire & Rescue Services
Central Region, Trichy

To be substituted for the
order already despatched

3. The District Fire Officer
Thiruvarur District
Thiruvarur

+1cc to Mr.M.Muthappan, Advocate, S.R.No.27454*

+1cc to the Government Pleader, S.R.No.3402

W.P.No.5879 of 2015

GP(CO)
RRK(05/02/2018)
Eu 20.4.2018



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