

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2018

CORAM

THE HON'BLE DR.JUSTICE S.VIMALA

W.P.No.31548 of 2018

S.Ashok

...Petitioner

Vs

The Commissioner
Social Welfare Department
Saidapet, Chennai-600 005.

...Respondents

For Petitioner : Mr.E.Vijay Anand
For Respondent : Mr.R.S.Selvam
Government Advocate

Prayer : Writ Petition filed under Article 226 of the Constitution of India seeking a writ of Mandamus directing the respondent to consider the representation dated 31.10.2018 and 08.11.2018 so as to declare the successful completion of probation of the petitioner and grant promotion to the petitioner to the post of Assistant and further promote the petitioner to the post of Superintendent on par with his juniors and consequently restraining the respondent in any way promoting the juniors of the petitioner to the post of Assistant and Superintendent respectively pending disposal of the petitioner's representation.

O R D E R

This writ petition is filed, seeking direction to the respondent to consider the representations of the petitioner dated 31.10.2018 and 08.11.2018. The petitioner was appointed on compassionate grounds on 22.07.2010 and was regularised on 10.06.2016. It is the claim of the petitioner that after regularisation, concurrence of the Tamil Nadu Public Service Commission has to be obtained and for that purpose, the petitioner has submitted his application along with all necessary documents. However, even after receipt of all the documents, the respondent delayed the processing of the application and the concurrence was finally accorded on 06.09.2018. However, similarly placed persons as that of the petitioner were declared to be duly completed their probation as

early as on 04.07.2018 and were also promoted to the post of Assistant. It is the grievance of the petitioner that he has not been considered for promotion and in this regard the petitioner has submitted a representations to the respondent on 31.10.2018 and 08.11.2018, which has not been considered. Therefore, the petitioner has filed the present writ petition.

2. Mr.R.S.Selvam, learned Government Advocate takes notice for the respondent. Heard the learned counsel appearing on either side and perused the materials available on record.

3. In view of the limited relief sought for, this Court is of the view that it is not necessary to dwell into the merits of the issue, but it would be suffice to direct the respondents to consider the representations of the petitioner and pass orders on the same within a particular time frame.

4. In the above circumstances, this writ petition is disposed of directing the 1st respondent to consider the representations of the petitioner dated on 31.10.2018 and 08.11.2018 and pass orders thereon, in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No costs.

Sd/-
Assistant Registrar (AR-J)

//True Copy//

Sub Assistant Registrar

kst

To

The Commissioner
Social Welfare Department
Saidapet, Chennai-600 005.

+ 1 cc to Mr.Government Pleader SR.82630
+ 1 cc to Mr.E. Vijayanand, Advocate Sr.82043

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AR-J
EU(13/12/2018)