



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.10.2018

CORAM:

THE HONOURABLE MR.JUSTICE M.M.SUNDRESH
AND
THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.A.[MD]No.1460 of 2018

A.Mukkan : Appellant/Petitioner
Vs.

1. The Government of Tamil Nadu,
Represented by its Secretary to Home Department,
Fort St. George,
Chennai - 600 009.
2. The Director of Fire and Rescue Services,
Tamil Nadu,
17, Rukmani Lakshmipatty Road,
Egmore,
Chennai - 600 008.
3. The Deputy Director of Fire Service,
South Zone,
Madurai.
4. The Divisional Officer,
O/o. The Divisional Officer of Fire and
Rescue Services Department,
Tirunelveli.

: Respondents/Respondents

PRAYER: Writ Appeal is filed under Clause 15 of the Letters Patent, praying to set aside the order dated 12.03.2018 passed in W.P.[MD]No.4364 of 2013 on the file of this Court.

Prayer in WP(MD)No. 4364/ 2013 :

Writ Petition is filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the Impugned order passed by the 2nd Respondent in Na.Ka.No. 031/A1/2013 dated 23.01.2013 and quash the same and consequently direct the Respondents No.2 to 4 to revise and regularize the service seniority and give notional promotion with monetary benefits to the Petitioner.



For Appellant : Mr.V.Kannan

JUDGMENT

[Judgment of the Court was delivered by **M.M.SUNDRESH, J.**]

Though, this appeal has been preferred against the order of the learned Single Judge, who declined to grant the relief sought for, the learned Counsel for the appellant would submit that the subsequent materials unearthed indicate that the junior of the appellant has been promoted and given the benefits. Hence, he prays that the appellant may be permitted to make a fresh representation on that score.

2.Considering the above, we dispose of the writ appeal giving liberty to the appellant to make fresh representation, seeking notional promotion. As and when the same is made, preferably within a period of six [6] weeks from the date of receipt of a copy of this order, it shall be considered by the respondents on its own merits, notwithstanding any of the observations made by the learned Single Judge in the writ petition.

3.The Writ Appeal stands disposed of, accordingly. No costs.

sd/
Assistant Registrar

/True Copy/

Sub Assistant Registrar (CS-IV)

To

1. The Secretary to Home Department,
Government of Tamil Nadu,
Fort St. George,
Chennai - 600 009.
2. The Director of Fire and Rescue Services,
Tamil Nadu,
17, Rukmani Lakshmipatty Road,
Egmore, Chennai - 600 008.
3. The Deputy Director of Fire Service,
South Zone,



4. The Divisional Officer,
O/o. The Divisional Officer of Fire and
Rescue Services Department,
Tirunelveli.

+1cc to Mr.V.Kannan, Advocate in SR.No. 91112

MR

AE-DS/RSK/15.11.2018/3P/6C

JUDGMENT MADE IN
W.A.[MD]No.1460 of 2018
22.10.2018