



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 13.06.2018
CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P (MD) No.12577 of 2018

S.Murugaraj

... Petitioner

Vs.

1. The State of Tamil Nadu
represented by its Principal Secretary,
Finance Department,
Fort St. George, Chennai - 09.

2. The Director of Local Fund Audit,
Combined Finance Department Office Complex,
4th Floor, Nanthanam, Chennai - 600 035. ... Respondents

Prayer: This Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondent No.1 to award notional promotion to the post of Joint Director to the petitioner and refix the pension by considering the petitioner's representation dated 08.05.2018 within the time stipulated by this Court.

For Petitioner : M/S.S.Louis
For Respondents : Mr.D.Muruganantham, AGP

ORDER

The prayer sought for in this writ petition is for a writ of mandamus, directing the respondent No.1 to award notional promotion to the post of Joint Director to the petitioner and refix the pension by considering the petitioner's representation dated 08.05.2018 within the time stipulated by this Court.

2.Heard Mr.S.Louis, learned counsel for the petitioner and Mr.D.Muruganantham, learned Additional Government Pleader appearing for the respondents.

3.The learned counsel appearing for the petitioner would submit that when the petitioner was working as Deputy Director of the respondent department, on 19.09.2017, a panel was prepared, where the name of the petitioner was found fit for promotion to the next higher category i.e. Joint Director. However, the panel was not acted upon immediately and in the meanwhile, the petitioner on superannuation, retired from service on 28.02.2018.



Therefore, after retirement, the petitioner had given a representation on 08.05.2018 to the respondents to consider his request of promotion atleast notionally from the eligible date as the petitioner's name has been found in the panel of candidates fit for promotion to the post of Joint Director. In this regard, the learned counsel appearing for the petitioner would submit that if the said representation of the petitioner is directed to be considered and an order to that effect is directed to be passed, within a time frame, the petitioner would be satisfied.

4.I have heard Mr.D.Muruganantham, learned Additional Government Pleader appearing for the respondents, who would submit that, the said representation of the petitioner dated 08.05.2018 with regard to his service grievance would be considered on merits and in accordance with law and an order to that effect would be passed, within a time frame.

5.Considering the said submissions made by both sides, this writ petition is disposed of with the following direction:

"The first respondent is directed to pass orders on the representation of the petitioner dated 08.05.2018 with regard to his service dispute on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order."

6.With the above direction, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(P&A)

/True Copy/

Sub Assistant Registrar

To

1. The Principal Secretary to Government,
Finance Department,
Fort St. George, Chennai - 09.
2. The Director of Local Fund Audit,
Combined Finance Department Office Complex,
4th Floor, Nanthanam, Chennai - 600 035.

+1cc to Mr.M/S.S.Louis, Advocate Sr.No.68120

+1cc to SPECIAL GOVERNMENT PLEADER, Sr.No.68206

Arul

MK/SB/SAR 4/27.06.2018/2P/5C

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