

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :13.09.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.16184 of 2019

M.Gajendiran

..Petitioner

vs

The Registrar,
University of Madras,
Chennai 600 005.

.. Respondent

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus to direct the respondent university to consider the petitioner's representation dated 22.4.2019 and 28.05.2019 and issue a deemed promotion order to him for the post of Deputy Registrar with retrospective effect from 01.04.2019 so as to enable the petitioner to get pension/retirement benefits without relying upon the ex parte interim stay granted in W.M.P.No.14502 of 2019 in W.P.No.14477 of 2019 dated 17.05.2019 passed by this Honourable Court.

For Petitioner : Mr.K.G.Krishnaraj
for Ms.Shantha kumari

For Respondent : Mr.Mani Sundargopal
for S.Shanthakumari

O R D E R

The prayer sought for in this Writ Petition is to direct the respondent university to consider the petitioner's representations dated 22.4.2019 and 28.05.2019 and issue a deemed promotion order to him for the post of Deputy Registrar with retrospective effect from 01.04.2019 so as to enable the petitioner to get pension/retirement benefits without relying upon the ex parte interim stay granted in W.M.P.No.14502 of 2019 in W.P.No.14477 of 2019 dated 17.05.2019 passed by this Honourable Court.

2. The case of the petitioner is that he was appointed as Junior Assistant on 30.04.1987 in the respondent University and had been periodically promoted to various posts and on 02.05.2017, he was promoted as Assistant Registrar. It is his further case that one Thiru.M.Ravichandran, Deputy Registrar/Nodal Officer, SC/ST Cell, retired on 31.03.2019 and it is the petitioner who ought to have been promoted as Deputy

Registrar after the retirement of the said M.Ravichandran, since the petitioner was No.1 in seniority list for the promotion of Deputy Registrar as on that day. The petitioner made representations on 22.04.2019 and 28.05.2019. Thereafter, the petitioner retired from the service on 31.05.2019. The representations made by the petitioner were not considered till date and hence the Writ Petition is filed before this Court.

3. The learned counsel for the petitioner would submit that the petitioner was No.1 in the seniority list for the promotion to the post of Deputy Registrar and hence he is entitled to the promotion as Deputy Registrar with retrospective effect from 01.04.2019. Therefore he prayed this Court to give direction to the respondent to consider the representations in accordance with law.

4. Mr.Mani Sundargopal, learned counsel appearing for the respondent would concede the request made by the petitioner's counsel.

5. Considering the facts and circumstances of the case, I am inclined to give direction to the respondent to consider the representation of the petitioner and pass appropriate orders on merits and in accordance with law, within a period of 4 weeks from the date of receipt of a copy of this order.

The Writ petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

The Registrar,
University of Madras,
Chennai 600 005.

+2cc to Mr.K.G.Krishnaraj, Advocate sr.78758
+1cc to Mr.Mani Sundargopal, Advocate sr.78996

W.P.No.16184 of 2019

mp(co)
nr 22/10/2019