

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.02.2019

CORAM:

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.16188 of 2018

S.Neelaveni Devi

...Petitioner

-vs-

1.The Principal Secretary to
Government, Home
(Transport IV) Department,
Secretariat, Chennai 600 009.

2.The Transport Commissioner,
Chepauk, Chennai 600 005.

...Respondents

Prayer: Writ petition is filed under Article 226 of Constitution of India praying to issue Writ of Mandamus directing the respondents herein to promote the petitioner as Assistant from the date of promotion of immediate juniors and include the petitioner's name in the list of Assistants fit for promotion as Superintendents drawn for the year 2013 - 2014 in the appropriate place with due seniority and consequently direct the respondents herein to include the petitioner's name for further promotion as Motor Vehicle Inspector (Non Technical) from 11.06.2018, the date of promotion of immediate junior with all consequential service and monetary benefits.

For Petitioner : Mr.Ravi Shanmugam

For Respondents : Mr.D.Suriya Narayanan
Addl. Government Pleader

W R D E R

The grievances of the writ petitioner is that on account of the pendency of charges against the writ petitioner, she was denied her promotion for the appropriate panel.

2.The learned counsel on behalf of the writ petitioner states that subsequently, the writ petitioner had been exonerated from the allegations and an order was passed dropping of the charges. In view of the fact, that the departmental

disciplinary proceedings was dropped against the writ petitioner in G.O.(D).No.19, Home (Tr.IV) Department dated 04.01.2006, her case is to be considered for promotion on par with her juniors with all consequential benefits. The second respondent also forwarded the request of the writ petitioner for consideration by the competent authority setting out of the facts and details. The writ petitioner also submitted the representation on 16.03.2016. The learned counsel for the writ petitioner states that recommendation of the second respondent as well as the representation of the writ petitioner are pending for more than 3 years and the competent authority has not taken any decision on this.

3.Under these circumstances, without going into the merits of the matter, the first respondent is directed to consider the representation submitted by the writ petitioner on 16.03.2016 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

4.The writ petitioner is directed to enclose a copies of the representation and all relevant orders, if any, along with this order passed in the present writ petition. Accordingly, the writ petition stands disposed of. No Costs.

rna

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Principal Secretary to
Government, Home
(Transport IV) Department,
Secretariat, Chennai 600 009.

2.The Transport Commissioner,
Chepauk, Chennai 600 005.

+1cc to Mr.Ravi Shanmugam, Advocate, S.R.No.17265
+1cc to the Government Pleader, S.R.No.17620

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Kak (21/05/2019)