

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.29045 of 2019

R.Raghuraman

... Petitioner

Vs.

The State of Tamil Nadu rep. by its
Additional Chief Secretary to Government,
Home (Transport II) Department,
Fort St.George, Secretariat,
Chennai - 600 009

... Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent herein to consider the request of the petitioner contained in his representation dated 08.06.2016 to promote him to the post of Joint Transport Commissioner notionally from the date on which his junior, Thiru.K.Balashanmugam was promoted to the post of Joint Transport Commissioner with all benefits including monetary benefits entitled to him in accordance with the provisions contained in Tamil Nadu Government Servants (conditions of Service) Act, 2016 within a specified period of time.

For Petitioner : Mr.A.Ganesan

For Respondent : Mrs.A.Sri Jayanthi,
Additional Government Pleader

O R D E R

By consent, this writ petition is taken up for final disposal at the admission stage itself.

2.The case of the petitioner is that while he was in service as Regional Transport Officer he was implicated in a criminal case relating to corruption in C.C.No.22 of 1998 and due to the pendency of the above said case, he was not allowed to retire from service on the date of superannuation i.e. 31.01.1999. Thereafter the criminal case ended in acquittal on 29.01.2016. Immediately thereafter the petitioner made representation to treat the suspension period as duty period i.e. 03.06.1988 to

08.03.1993. But till date the same has not been considered. Hence, the petitioner has filed the present petition.

3.Heard both sides.

4.The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the respondent to consider the representation of the petitioner dated 08.06.2016 and pass orders, within a stipulated time fixed by this Court.

5.Though the petitioner has sought for a larger relief, this Court without going into the merits of the case, directs the respondent to consider the petitioner's representation dated 08.06.2016 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

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

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

To

The Additional Chief Secretary to Government,
The State of Tamil Nadu,
Home (Transport II) Department,
Fort St.George, Secretariat,
Chennai - 600 009.

+1cc to Mr.A.Ganesan, Advocate Sr.84761

+1cc to the Government Pleader Sr.85619

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srg 04/11/2019