

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :18.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.29780 of 2019

Mr.B.Pandian

..Petitioner

vs

1. The Principal Secretary to Government (FAC)
Public Department,
Secretariat, Chennai - 600 009
2. The Secretary to the Government
Personnel Administration & Reform Department,
Secretariat, Chennai - 600 009
3. The Secretary to Government
Finance Department,
Secretariat, Chennai - 600 009.

.. Respondents

Prayer:

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 1st respondent to consider the representation dated 18.01.2019 to promote the petitioner notionally as Joint Secretary to Government with all monetary benefits.

For Petitioner : Mr.S.Wilson

For Respondents : Mr.A.N.Thambidurai
Special Government Pleader

ORDER

The prayer sought for in this Writ Petition is to direct the 1st respondent to consider the representation dated 18.01.2019 to promote the petitioner notionally as Joint Secretary to Government with all monetary benefits.

2. By consent of both the parties, the Writ Petition has been taken up for final disposal at admission stage itself.

3. The case of the petitioner is that he was appointed as Assistant in the Department of Health and Family Welfare, Secretariat, Chennai in the year 1989. Thereafter, he was promoted as Assistant Section Officer in the year 1994 and further promoted as Section Officer in the year 2006. In the year 2011, the petitioner was promoted as Undersecretary to Government in the Department of Health and Family Welfare, Secretariat. Thereafter, in the year 2018, the petitioner was promoted as Deputy Secretary to Government.

4. It is the further case of the petitioner that his juniors were promoted as Joint Secretary prior to him, for which the petitioner made representation to the 1st respondent on 18.01.2019 requesting notional promotion as Joint Secretary and subsequently retired on 30.09.2019. However, till date the representation was not considered. Therefore, the present Writ Petition has been filed.

5. Mr.S.Wilson, learned counsel appearing for the petitioner would submit that the petitioner has made the representation immediately after coming to know that his juniors are promoted as Joint Secretary and subsequently retired from service. He would further submit that it would be suffice to issue direction to the 1st respondent to consider and dispose of the representation dated 18.01.2019, in accordance with law.

6. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, I am inclined to issue direction to the 1st respondent to consider and dispose of the representation dated 18.01.2019, if not disposed of already, within a period of twelve weeks from the date of receipt of a copy of this order.

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

सत्यमेव जयते

Sd/-

Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary to Government (FAC)
Public Department,
Secretariat, Chennai - 600 009

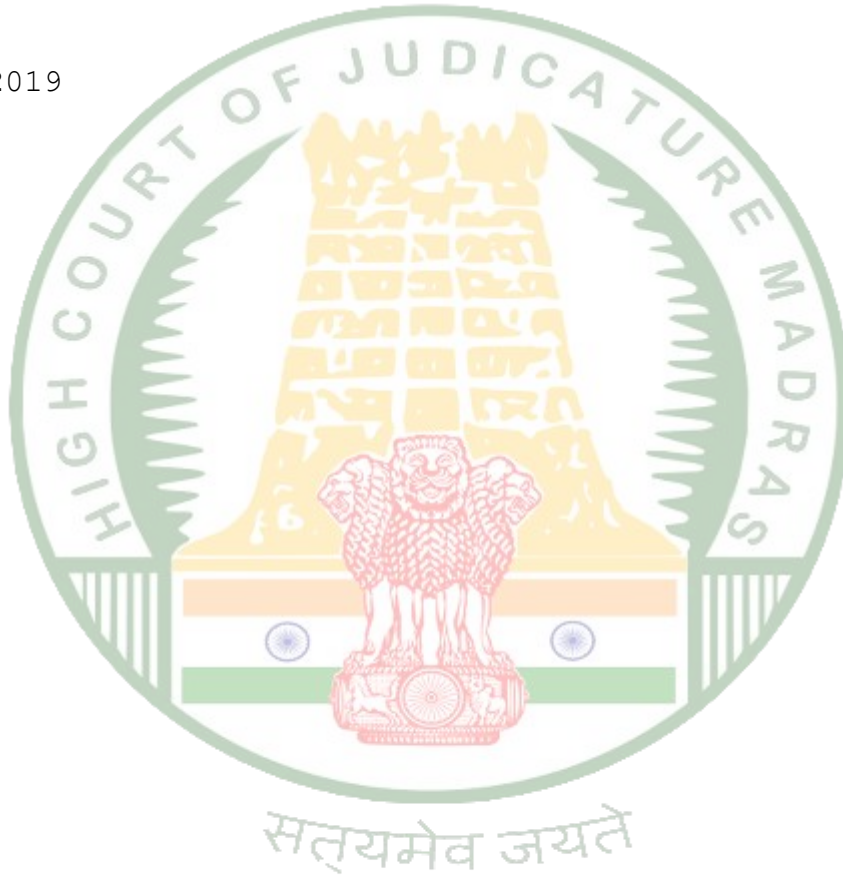
2. The Secretary to the Government
Personnel Administration & Reform Department,
Secretariat, Chennai - 600 009

3. The Secretary to Government
Finance Department,
Secretariat, Chennai - 600 009.

+1cc to Mr.S.Wilson, Advocate, S.R.No.87073
+1cc to the Government Pleader, S.R.No.87795

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JP (CO)
CS/06/12/2019



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