

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.29098 of 2019

Er.M.Antony Raja Pazham, B.E.

... Petitioner

Vs.

1.The Principal Secretary to Government /
The Chairman of TWAD Board,
Municipal Administration & Water Supply Dept,
Government of Tamil Nadu,
Secretariate, Chennai - 600 009

2.The Managing Director,
Tamil Nadu Water Supply and Drainage Board,
No.31, Kamarajar Salai,
Chepauk, Chennai 600 005

... Respondents

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider and pass orders on the petitioner's representation dated 21.06.2019 submitted for a grant of due promotion as "Executive Engineer" from the date of promotion of his immediate Junior and to grant all consequential Notional Promotions, terminal and Pensionary benefits thereof with retrospective effect based on the G.O.Ms.(P&AR) No.22, dated 24.02.2014.

For Petitioner : Mr.R.Prabudoss

For Respondents : Mr.P.Ganesh Babu

सत्यमेव जयते
O R D E R

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

2.The learned counsel for the petitioner would submit that the petitioner joined duty in TWAD Board on 21.01.1978 as Assistant Engineer. While being so the petitioner's name was not included in the promotion panel stating that disciplinary proceedings was pending against him. Subsequently all the charges were dropped vide Board Proceedings in B.P.Ms.No.148/ESTT.(DP) WING dated 17.12.2007. At the time of retirement, he was allowed to retire on the ground that a

criminal case was pending against him. Subsequently, the case also ended in acquittal and thereafter he was given promotion. However his name was passed over in the year 2006. Accordingly he made representation for notional promotion and other benefits. 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 respondents to consider the representation of the petitioner dated 21.06.2019 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 respondents to consider the petitioner's representation dated 21.06.2019 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/-

Asst. Registrar (Insp Cell)

/true copy/

Sub Asst. Registrar

lok

To

1. The Principal Secretary to Government /
The Chairman of TWAD Board,
Municipal Administration & Water Supply Dept,
Government of Tamil Nadu,
Secretariate, Chennai - 600 009

2. The Managing Director,
Tamil Nadu Water Supply and Drainage Board,
No.31, Kamarajar Salai,
Chepauk, Chennai 600 005

+2 ccs to Mr.R.Prabudoss Advocate sr84759

+1 cc to Mr.R.Ganesh Babu Advocate sr85645

W.P.No.29098 of 2019

aa22/10/2019