

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.31025 of 2019

K.Senthilkumaran,
Administrative Officer,
(Agricultural Engineering),
Office of the Chief Engineer,
(Agricultural Engineering),
Chennai-600 035. ..Petitioner

Vs.

1.The Secretary to Government,
Agriculture Department,
Fort St.George, Chennai-600 009.

2.The Director of Agriculture,
Chepauk, Chennai-600 005. .. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus or any other writ, order or direction in the form of the writ to direct the respondent to dispose of my representation dated 12.06.2018, 11.02.2019 and 30.09.2019.

For Petitioner : Mr.S.Illamvaludhi

For Respondents : Ms.Lalitha, Government Advocate

ORDER

1.This writ petition has been filed by the petitioner, praying for issuance of a Writ of Mandamus, to direct the Respondent to dispose of his representations dated 12.06.2018, 11.02.2019 and 30.09.2019.

2.The case of the petitioner is that the petitioner has joined service in Agricultural Engineering Department as Junior Assistant and later he was promoted as Assistant and further, promoted as Superintendent and as on date, he is working as Administrative Officer. On an earlier occasion, while he was working as Superintendent, for certain lapses, he was imposed a punishment of stoppage of increment for one year without cumulative effect, which later was set aside in the Appeal by the Appellate Authority. Thereafter, again by proceedings dated 01.10.2015, the petitioner was imposed with a punishment of

stoppage of increment for one year without cumulative effect. Challenging the same, the petitioner filed a writ petition in WP.No.33490/2015, wherein by an interim order dated 16.10.2015, this Court stayed the operation of punishment. The grievance of the petitioner is that absolutely as on date, there is no currency of punishment, however, his name was not found in place in the panel for the year 2016-2017 for the post of Deputy Director (Administration). Therefore, the petitioner made representations on 12.06.2018, 11.02.2019 and 30.09.2019 to the Director of Agriculture, 2nd respondent herein. However, as there was no response is evoking despite his representations, the petitioner has come forward with the present writ petition.

- 3.The learned counsel appearing for the petitioner would submit that in fact there is no currency of punishment as on date against the petitioner, and there is not illegal impediment for the respondents to include his name in the panel for promotion for the post of Deputy Director (Administration) and though the petitioner made representations, the respondents have not considered and the matter has been kept pending without any progress. Hence, he sought for a direction to dispose of the writ petition.
- 4.The learned Government Advocate appearing for the respondents conceded to the request as submitted by the learned counsel appearing for the petitioner. The learned counsel would submit that if this Court directs the respondents to consider the dispose of the representations made by the petitioner, the same would be complied with and the representation would be disposed of in accordance with law.
- 5.Considering the facts and circumstance of the case and the submissions made by the learned counsel for the petitioner and since the representations made by the petitioner have been pending, this Court directs the second respondent to dispose of the Writ Petitioner's representation dated 30.09.2019, in accordance with law, within a period of Eight weeks from the date of receipt of a copy of this order.
- 6.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

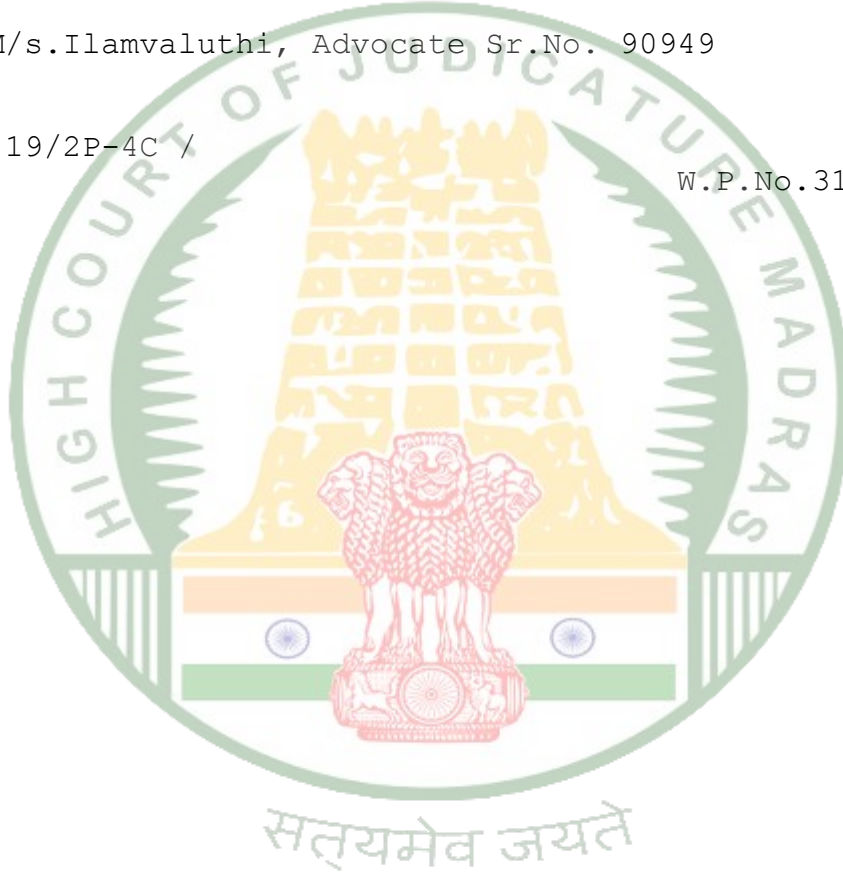
1.The Secretary to Government,
Agriculture Department, Fort St.George,
Chennai-600 009.

2.The Director of Agriculture,
Chepauk, Chennai-600 005.

+1 cc to M/s.Ilamvaluthi, Advocate Sr.No. 90949

AKM/05.11.19/2P-4C /

W.P.No.31025 of 2019



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