

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.31923 of 2019

V.Neela

... Petitioner

Vs.

The International Airports Authority of India,
Represented by its General Manager,
Meenambakkam,
Chennai

... Respondent

Prayer:- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondent to release the withheld promotion / fixation of higher pay due to the implementation of FCS and to release all the payments due on the retirement of the petitioner as on 31.12.2012.

For Petitioner : M/s.K.M.Valsala

For Respondent : Mr.M.Palanimuthu

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 the petitioner was employed as Sweeper with the respondent from 1978 to 31.12.2012. The petitioner and her entire family members belong to Hindu Kurumans - a Scheduled Caste Community and there is a dispute with regard to the petitioner's community and subsequently, the community certificate of the petitioner was cancelled, which was challenged before this Court in W.P.No.5216 of 2006 and the same was allowed on 29.02.2008 and this Court directed the respondent to release all the promotional benefits in the said order. Against the said order, SLP was preferred, which was also dismissed on 18.03.2009. Subsequently, the respondent cancelled the charge sheet as against the petitioner and dropped the disciplinary proceedings on 27-29.12.2011. Thereafter the petitioner made representations repeatedly from 2012 to 2019, but till date the same have been not 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 14.10.2019 and pass orders, within a stipulated time fixed by this Court.

5.Mr.M.Palanimuthu, learned counsel appearing for the respondent seeks time for filing counter.

6. This Court issues only a direction to the respondent to consider the representation of the petitioner. Since no positive direction is issued in favour of the petitioner and also this Court already passed an order to release all the promotional benefits and attendant benefits in the year 2008 itself, no prejudice would be caused to the respondent.

7.Accordingly, this Court without going into the merits of the case, directs the respondent to consider the petitioner's representation dated 14.10.2019 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.

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

Sd/-

Assistant Registrar (CS-IV)

//True Copy//

Sub Assistant Registrar

lok

To

The General Manager,
International Airports Authority of India,
Meenambakkam,
Chennai

+lcc to Mr.K.S.Kumar, Advocate, S.R.No. 93977
+lcc to Mr.M.Palanimuthu, Advocate, S.R.No. 94186

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