

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :28.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.33254 of 2019

Arumugam

..Petitioner

vs

1.The Chief Executive Officer,
Tamilnadu Khadi & Village Industries Board,
Kuralagam, Chennai.

2.The Assistant Director,
Tamilnadu Khadi & Village Industries Board,
Salem District.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 1st respondent to grant notional promotion to the petitioner as per Tamilnadu Khadi and Village Industries Board Service Regulation 1996 pursuant to his representation dated on 08.11.2019.

For Petitioner : M/s. K. Subash
For Respondents : Mr. S.K. Bose

O R D E R

Writ Petition is filed for issuance of a Writ of Mandamus to direct 1st respondent to grant notional promotion to the petitioner as per Tamilnadu Khadi and Village Industries Board Service Regulation 1996 pursuant to his representation dated on 08.11.2019.

2. Heard both sides and perused the records. By consent, the writ petition is taken up for final disposal.

3. The case of the petitioner is that the petitioner was appointed as Bee field man Grade-I in the year 1990 and in the year 2011, the petitioner was charged for the offences u/s. 409. 477(A) r/w 109 of IPC and registered in Crime No. 3/2011 based on the complaint given by th Deputy Registrar (Credit). Thereafter he was tried by the XVI Metropolitan Magistrate

Court, Chennai in C.C. No. 3290 of 2011 and subsequently he was exonerated from the said charges. Even after acquittal from the charges, the petitioner was not given any promotion till date. Hence, he made representation dated 08.11.2019 to the 1st respondent to promote him in pursuance of Tamilnadu Khadi and Village Industries Board Services Regulation 1966. The said representation is pending without consideration, hence this writ petition.

4. Learned counsel appearing for the petitioners submitted that it would suffice, if this Court issues direction to the 1st respondent to consider the petitioner's representation dated 08.11.2019 and pass appropriate orders within the reasonable time.

5. Considering the limited request made by the learned counsel appearing for the petitioner, this Court hereby directs the 1st respondent to consider the petitioner's representation dated 08.11.2019 and pass appropriate orders on merits after affording due opportunity to the petitioner and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

6. The writ petition is accordingly disposed of. No costs.

Sd/-

Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1.The Chief Executive Officer,
Tamilnadu Khadi & Village Industries Board,
Kuralagam, Chennai.

2.The Assistant Director,
Tamilnadu Khadi & Village Industries Board,
Salem District.

+2cc to M/s.K.Subash, Advocate SR.No.99369

AKM/07.01.2020/2P-5C /

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