

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 04.01.2019

CORAM

THE HONOURABLE DR. JUSTICE S.VIMALA

W.P. NO. 34449 OF 2018

S.Kannan

.. Petitioner

- Vs -

The Transport Commissioner
Chepauk, Chennai 600 005.

.. Respondent

Writ Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the respondent to consider the petitioner's representation dated 15.11.2018 pending with him and pass appropriate orders within a reasonable time by finalising the panel of Motor Vehicles Inspector Grade-I, fit for promotion to the post of Regional Transport Officer for the year 2017-2018.

For Petitioner : Mr. A.Ganesan

For Respondents : Mr. A.N.Thambidurai, AGP

ORDER

The present petition has been filed for a direction to the respondent to consider the petitioner's representation by placing him in the appropriate position in the original seniority and consider his case for promotion to the post of Regional Transport Officer.

2. It is the case of the petitioner that he was appointed as Motor Vehicles Inspector, Grade-II on compassionate grounds and was regularized vide G.O. Ms. No.1327 from the date of appointment, i.e., 27.12.2000. The name of the petitioner was not included in the list for promotion to the post of Motor Vehicles Inspector, Grade-I due to pendency of charge against him. The charges framed u/s 17 (b) against the petitioner was quashed vide the order of this Court in W.P. No.17652/2006 dated 7.9.09, and consequent upon the same, the petitioner was promoted as Motor Vehicles Inspector, Grade-I in the year 2009-2010. For the charge u/s 17 (a), the petitioner was imposed with a punishment of stoppage of increment without cumulative effect for a period of six months.

3. The respondent called for a list of Motor Vehicles Inspector, Grade I for consideration as Regional Transport Officer. In the list, the name of the petitioner was shown at 20. Therefore, the petitioner submitted a representation to the respondent to place his name at the appropriate place reviving his original seniority pursuant to the order of this Court in W.P. No.17652/2006 dated 7.9.2009. Since no order has been passed on the said representation till date, the present petition has been filed.

4. Mr. A.N.Thambidurai, learned Addl. Government Pleader takes notice for the respondent and submits that the representation of the petitioner will be considered within the time frame fixed by this Court.

5. In view of the limited relief sought for, this Court is of the view that it would be suffice to direct the respondent to consider the representation dated 15.11.2018, in the light of the orders passed in W.P. No.17652/2006, within a particular time frame.

6. In the above circumstances, this writ petition is disposed of directing the respondent to consider the representation dated 15.11.2018, submitted by the petitioner in the light of the orders passed in W.P. No.17652/2006 and pass orders, within a period of four weeks from the date of receipt of a copy of this order. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

GLN

To

The Transport Commissioner
Chepauk, Chennai 600 005.

+1cc to Mr.C.Prakasam, Advocate, S.R.No.752

+1cc to the Government Pleader, S.R.No.1903

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SJ(CO)
GSP(11/02/2019)