



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WP(MD)No.5764 of 2019

J.Jebachandra Nesakumar

... Petitioner

Vs.

1.The Chairman,  
Transport Department,  
Fort St.George, Chennai.

2.The Tamil Nadu State Transport  
Corporation (Tirunelveli) Limited,  
represented by its Managing Director,  
Nagercoil.

... Respondents

**PRAYER:** Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, to direct the respondents to consider and to promote the petitioner as Senior Deputy Manager, corresponding to the pay revised within a specified period as may be fixed by this Court.

|                |                                     |
|----------------|-------------------------------------|
| For Petitioner | : Mr.T.S.Mohammed Mohideen          |
| For R1         | : Mr.V.Anand<br>Government Advocate |
| For R2         | : Mr.K.Sathyasingh                  |

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**ORDER**

Seeking a direction to the respondents to promote the petitioner as Senior Deputy Manager, corresponding to the pay revised, the present writ petition has been filed.

2.Heard the learned Counsel appearing on both sides and perused the materials on record.

3.It is the case of the petitioner that the petitioner is working as Junior Assistant (Computer Programmer) and pursuant to the order of this Court, the scale of pay was revised to the petitioner in the cadre of Assistant Manager. However, the periodical promotion as per Common Service Rule was not implemented to the petitioner, who is entitled to be promoted as Senior Deputy



Manager. In this regard, he sent a representation to the respondents, on 10.01.2019. However, there is no progress on the same. Hence, the petitioner has approached this Court.

4.The learned Government Advocate appearing for the first respondent and the learned Standing Counsel appearing for the second respondent submitted that the representation of the petitioner would be considered on merits within the time stipulated by this Court.

5.Under such facts and circumstances of the case, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner, dated 10.01.2019, on merits and in accordance with law, and pass appropriate orders, after affording opportunity of hearing to the petitioner, within a period of six weeks from the date of receipt of a copy of this order.

6.The writ petition is disposed of, on the above terms. No costs.

Sd/-

Assistant Registrar (CO)

// True Copy //

Sub Assistant Registrar(CS)

To

The Chairman,  
Transport Department,  
Fort St.George, Chennai.

+1 CC to M/s.T.S.MOHAMED MOHIDHEEN, Advocate SR-53192[F]  
+1 CC to M/s.K.SATHIYA SINGH, Advocate SR-53595[F]  
+1 CC to M/s.SPL GP ( SR-54141[F]

ps/12.04.2019/2p/5c

ORDER MADE IN

W.P. (MD) No.5764 of 2019

12.03.2019