



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.03.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P (MD) No.14048 of 2017

L.Heddy Bai

... Petitioner

Vs.

1.The State of Tamil Nadu,
Rep. by its Secretary,
Department of Agriculture,
Government of Tamil Nadu,
Fort St. George, Chennai.

2.The Commissioner of Horticulture,
Department of Horticulture,
Commissioner of Agricultural Office Complex,
Chepauk, Chennai.

3.The Deputy Director of Horticulture,
Dindigul, Dindigul District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the second respondent to promote the petitioner to the post of Deputy Director of Horticulture along with other attendant benefits on par with his juniors by considering the representation of the petitioner, dated 28.02.2016 within the time stipulated by this Court.

For Petitioner : Mr.C.R.Kasi Viswanathan
for M/s.Ajmal Associates

For Respondents : Mrs.J.Padmavathy Devi,
Special Government Pleader.

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the second respondent to promote the petitioner to the post of Deputy Director of Horticulture along with other attendant benefits on par with his juniors by considering his representation, dated 28.02.2016 within the time stipulated by this Court.

2.Heard the learned counsel appearing for the petitioner and the learned Special Government Pleader appearing for the respondents.



3. According to the learned counsel for the petitioner, the petitioner has initially filed WP(MD)No.3975 of 2014 on the file of this Court, to direct the respondents therein to include his name in the panel for promotion for the year 2013-2014. This Court, by order dated 21.09.2015, disposed of the Writ Petition by recording the submission of the learned Additional Advocate General that appropriate order will be passed and consequently, promotion will be granted. However, despite the same, no order was made till date. Hence, the petitioner made a subsequent representation dated 28.02.2016 and the same is pending without passing any orders. Therefore, this writ petition has been filed seeking the aforementioned relief.

4. The learned Special Government Pleader appearing for the respondents submitted that the representation of the petitioner will be considered on merits.

5. Considering the above said facts and circumstances of the case, this Court, without going into the merits of the matter, directs the respondents to consider the representation of the petitioner dated 28.02.2016 in line with the earlier order passed by this Court in WP(MD) No.3975 of 2014, dated 21.09.2015 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner.

6. With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (P & A)

// True Copy //

Sub Assistant Registrar (CS)

Ps

To

1. The Secretary,
Rep. by the State of Tamil Nadu,
Department of Agriculture,
Government of Tamil Nadu,
Fort St. George, Chennai.

2. The Commissioner of Horticulture,
Department of Horticulture,
Commissioner of Agricultural Office Complex,
Chepauk, Chennai.



3.The Deputy Director of Horticulture,
Dindigul, Dindigul District.

+1CC TO MR.AJMAL ASSO., Advocate Sr. No.55849

+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 55648

W.P(MD)No.14048 of 2017
20.03.2019

TR (22.04.2019) 3P 6C