

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2020

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THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

W.P No.1274 of 2020
and W.M.P No.1530 of 2020

1.M.B.Karthik
2.C.Karthikeyan
3.T.Senthil ..Petitioners

vs.

1. State of Tamil Nadu,
Represented by the Secretary to Government,
Animal Husbandry, Dairying and Fisheries Department,
Secretariat, Chennai 600 009.
2. Secretary to Government (Personnel) & Administrative
Reforms
Secretariat, Chennai 600 009.
3. Secretary to Government,
(Finance Department),
Secretariat, Chennai 600 009.
4. The Commissioner (Previously the Director),
Milk Production and Dairy Development Department,
Chennai - 600 035.
5. The Secretary,
Tamil Nadu Public Service Commission,
Chennai ...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents particularly the respondents 1&2 to consider their representation dated 26.11.2019, within the time frame as may be stipulated by this Court.

For Petitioner : Mr.D.Shivakumaran

For Respondents : Mr.G.Prabhu,
Government Advocate for
R1 to R4
Mr.M.Loganathan,
Government Advocate for R5

O R D E R

This writ petition has been filed for the issue of writ of Mandamus directing the respondents 1 & 2 to consider the representation made by the petitioner on 26.11.2019 and to pass appropriate orders, within a time fixed by this Court.

2. The case of the petitioner is that he was selected as a Senior inspector of Cooperative Societies through Tamil Nadu Public Service Commission (TNPSC) in the year 2015 and his services were regularized in the year 2017. Subsequently, the probation was declared on 23.07.2019.

3. The grievance of the petitioner is that persons who did not even have the minimum qualification of two years of working experience are being promoted as Sub-Inspectors directly from the post of Assistant. In order to get over the same, this promotion is being done on a temporary basis and it continuously results in the qualified/eligible candidates from being considered for promotion to the post of Sub Inspector. Expressing this grievance, the petitioners have given a representation on 26.07.2019, to the respondents seeking for promotion for the eligible candidates as per the existing rules. Since this representation was not considered, the present writ petition has been filed before this Court.

4. Heard the learned counsel for the petitioners and the learned counsel appearing for the respondents.

5. Taking into consideration the facts and circumstances of the case and also the limited relief that has been sought for in this writ petition, there shall be a direction to the respondents 1 & 2 to consider the representation dated 26.11.2019 and pass orders in accordance with law, within a period of eight weeks from the date of receipt of copy of this order. The petitioners are directed to make fresh representation to the respondents 1 and 2 along with a copy of earlier representation dated 26.11.2019 and also a copy of this order.

6. This writ petition is disposed of with the above directions. No costs. Consequently, the connected miscellaneous petition is also closed.

Sd/-
Assistant Registrar (CS-VIII)

//True copy//

Sub Assistant Registrar

To

1. State of Tamil Nadu,
Represented by the Secretary to Government,
Animal Husbandry, Dairying and Fisheries Department,
Secretariat, Chennai 600 009.
2. Secretary to Government (Personnel) & Administrative
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Secretariat, Chennai 600 009.
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(Finance Department),
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4. The Commissioner (Previously the Director),
Milk Production and Dairy Development Department,
Chennai - 600 035.
5. The Secretary,
Tamil Nadu Public Service Commission,
Chennai

+1cc to Mr.D.Shivakumaran, Advocate SR.No.4716

+1cc to Mr.M.Loganathan, Advocate SR.No.4263

+1cc to Government Pleader SR.No.4739

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SSD(CO)
GMY(28/02/2020)

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