

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.12.2020

C O R A M

THE HONOURABLE MR.JUSTICE P. VELMURUGAN

W.P.No.16636 of 2007 (T)

O.A.No.4083 of 2003

P.Neelamegam
S/o.Palanivel Pillai. ... Petitioner/Applicant

Vs.

The Secretary to Government,
Animal Husbandry and Fisheries
Department,
Fort St.George, Chennai - 600 009. ...Respondent

Prayer : The Original Petition filed in O.A.No.4083 of 2003 filed before the Tamil Nadu Administrative Tribunal, Chennai, to call for the records of the respondent in G.O.(2).No.68, Animal Husbandry & Fisheries (AH-I) Department, dated 21.10.2003 and quash the order passed therein and direct the respondent to promote the applicant to the posts of Assistant Director of Animal Husbandry and Deputy Director of Animal Husbandry with effect from the date on which, his junior Dr.K.E.Meheboob Sahib got promoted and grant all consequential monetary and other service benefits such as fixation of pay, grant of annual increments, selection grade etc., has been transferred to the file of this Court and renumbered as W.P.No.16636 of 2007.

For Petitioner : Mr.P.Kumaravel for
Mr.M.Ravi

For Respondents: Mr.P.Chinnadurai
Additional Government Pleader

O R D E R

This writ petition has been filed to include the petitioner in the panel for promotion to the post of Assistant Director of Animal Husbandry and Deputy Director of Animal Husbandry. Originally, the petitioner had filed O.A.No.4083 of 2003 before the Tamil Nadu Administrative Tribunal, Chennai. Subsequently, the same was transferred to the file of this Court and renumbered as W.P.No.16636 of 2007. Even at the time of filing the application, the petitioner was 57 years old.

2. Heard both sides.

3. Learned Additional Government Pleader would submit that the petitioner was served with charge memo, subsequently enquiry was conducted and he was awarded punishment of withholding of stoppage of increment for six months. Therefore, at the relevant period, the petitioner was served with a charge memo and the disciplinary proceedings was also pending. Subsequently, enquiry was conducted and he was awarded punishment. Therefore, he could not be considered for inclusion in the panel for promotion. Since the petitioner has not filed any appeal or further representation based on the enquiry report, in circumstance, there is no reason to produce G.O.(2). No.68, Animal Husbandry & Fisheries (AH-I) Department, dated 21.10.2003. The petitioner is not entitled to be considered for inclusion in the panel for the post of Assistant Director of Animal Husbandry and Deputy Director of Animal Husbandry. There is no merit in this case. Accordingly, this writ petition is dismissed. No costs.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

bri

To

The Secretary to Government,
Animal Husbandry and Fisheries
Department,
Fort St.George, Chennai - 600 009.

+1 cc to the Government Pleader sr42507

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