

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.22165 of 2013

K.Singaravelu

... Petitioner

Vs.

1.The Government of Tamilnadu
Represented by its Secretary,
Animal Husbandry, Dairying and Fisheries Department,
Fort St.George,
Chennai - 600 009.

2.The Commissioner
Animal Husbandry and Veterinary Services Department,
Chennai - 600 006. ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus by suitably issuing a direction directing the first respondent herein to consider the petitioner representation dated 4.4.2013 and confer the promotional post of Administrative Officer notionally with effect from 01.09.2010 and confer the consequential retirement and pensionary benefits with interest.

For Petitioner : Mr.R.S.Anandan

For Respondents : Mr.S.Thangavel

Special Government Pleader

ORDER

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus by suitably issuing a direction directing the first respondent to consider the petitioner's representation dated 04.04.2013 and to confer the promotional post of Administrative Officer notionally with effect from 01.09.2010 and to confer the consequential retirement and pensionary benefits with interest.

2.The case of the petitioner is that the petitioner joined the services in the year 1974 as a Typist and was latter appointed as a Steno-Typist in the year 1979 and was promoted to the post of Assistant in the year 1981 and was further promoted as Superintendent in the year 2000. The petitioner was promoted to the post of Manager on 24.11.2006 and he retired from service on 31.10.2010 on reaching the age of superannuation.

3.It is the further case of the petitioner that he is fully qualified for the post of Administrative Officer which is the next avenue of promotion, in the year 2006 itself. However, due to shortage of vacancies the petitioner's name was not included in promotional panel for the post of Administrative Officer for the panel year 2009-10 and thereafter, due to administrative delay the Departmental Promotion Committee meeting was held on 24.11.2010 and hence, his name was not included in the promotional panel for the post of Administrative Officer for the panel year 2010-11. The petitioner made representation dated 28.10.2010 to the second respondent that he should be given notional benefits in case panel is not released in time and the same was not considered.

4.It is the further case of the petitioner that in the promotional panel released by the first respondent on 29.12.2010, his juniors were conferred with promotion to the post of Administrative Officer. Hence, the petitioner made representation to the first respondent on 04.04.2013 seeking notional promotion to the post of Administrative Officer and to confer consequential retirement and pensionary benefits and since the said representation has not yet been considered, the petitioner has filed this writ petition.

5.The learned counsel appearing for the petitioner would submit that it would suffice if this Court issues direction to the respondents to consider the petitioner's representation dated 04.04.2013.

6.The learned Special Government Pleader appearing for the respondents has no serious objection for issuing direction to the respondents to consider the petitioner's representation.

7.In view of the above, this Court directs the respondents to consider the petitioner's representation dated 04.04.2013 and to pass appropriate orders on the same, on merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.

8.The writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar(CS)

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Sub Assistant Registrar

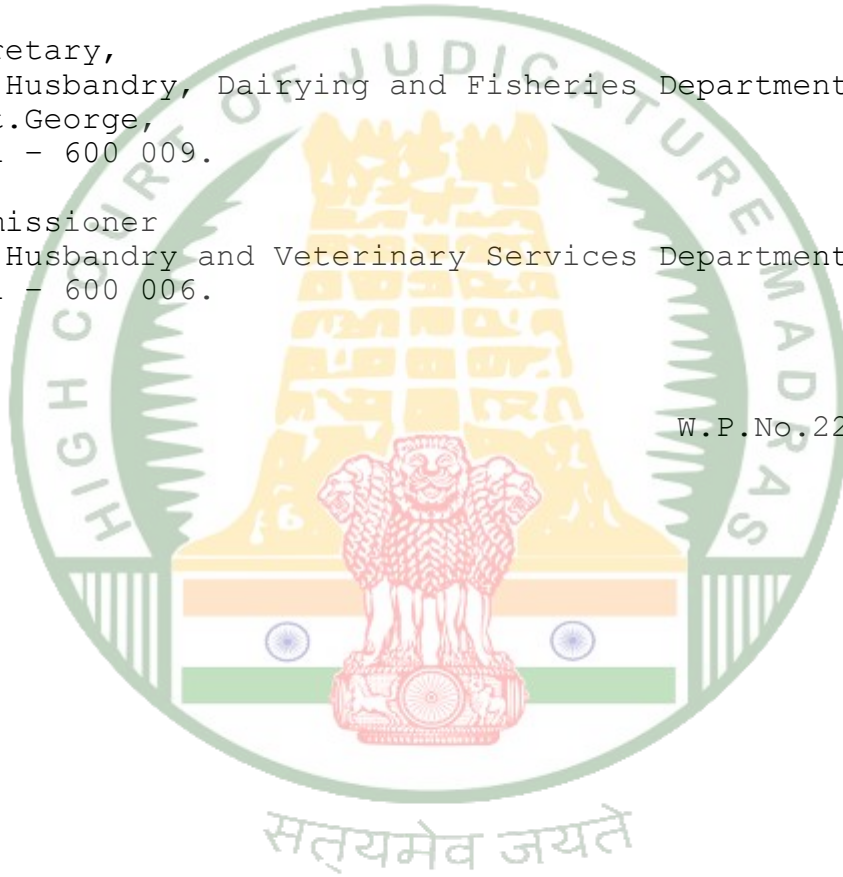
To

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

2.The Commissioner
Animal Husbandry and Veterinary Services Department,
Chennai - 600 006.

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