

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.12.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.27854 of 2013

And

M.P.No.1 of 2013

C.Loganathan

... Petitioner

Vs.

The Commissioner of Transport,  
Chepauk, Chennai - 5.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondent to consider the claim of the petitioner for promotion as Motor Vehicle Inspector (Non-Technical) by including his name in the appropriate place in the panel of the (EO No.186/2010) approved by the respondent in Proc.R.No.5959/R1/2010 dated 17.06.2010 at par with his juniors with all consequential service and monetary benefits.

For Petitioner : Mr.K.Venkatramani  
Senior Counsel  
for M/s.M.Muthappan

For Respondent : Mr.A.N.Thambi Durai  
Special Government Pleader

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O R D E R

The petitioner has filed this writ petition seeking issuance of Writ of Mandamus directing the respondent to consider the claim of the petitioner for promotion as Motor Vehicle Inspector (Non-Technical) by including his name in the appropriate place in the panel of the (EO No.186/2010) approved by the respondent in Proc.R.No.5959/R1/2010 dated 17.06.2010 at par with his juniors with all consequential service and monetary benefits.

2.The case of the petitioner is that the petitioner was appointed as Typist on 17.12.1986 based on the selection of TNPSC and was promoted as Assistant from 13.06.1995 and as Superintendent from 16.02.2006. The petitioner was further promoted as Motor Vehicle Inspector (NT) on 11.01.2010. While the petitioner was serving as Motor Vehicle Inspector (NT) in the check post at Poonamallee, the respondent issued orders dated 25.10.2011, reverting the petitioner to the original post of Superintendent on the ground that the petitioner was promoted as Motor Vehicle Inspector (NT) only on adhoc basis and that charges under Rule 17 (b) of TNCS (D&A) Rules against him was pending.

3.It is the further case of the petitioner that aggrieved by the same, the petitioner filed W.P.No.27571 of 2011 before this Court. This Court on the basis of the letter dated 09.07.2012 issued by the Principal Secretary/Transport Commissioner, Chepauk, Chennai, stating that the charges levelled against the petitioner had been dropped and that consequential orders would be passed with regard to the promotion of the petitioner, closed the said writ petition on 13.07.2012. However, no orders with regard to the petitioner's promotion was passed. Hence, this writ petition.

4.The learned Senior Counsel appearing for the petitioner would submit that the petitioner made representation dated 22.11.2012 to the respondent seeking to promote him as Motor Vehicle Inspector (Non-Technical) on par with his juniors with all consequential service and monetary benefits, however, the same has not yet been considered. Hence, this Court may issue direction to the respondent to pass appropriate orders on the petitioner's representation dated 22.11.2012, within a reasonable time frame.

5.The learned Special Government Pleader raise no serious objection for consideration of the petitioner's representation.

6.In view of the above, this Court directs the respondent to consider the petitioner's representation dated 22.11.2012, on merits and in accordance with law and pass appropriate orders, within a period of twelve weeks from the date of receipt of a copy of this order.

7.The writ petition is accordingly disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

-s/d-

Assistant Registrar(CS-I)

True Copy

Sub-Assistant Registrar

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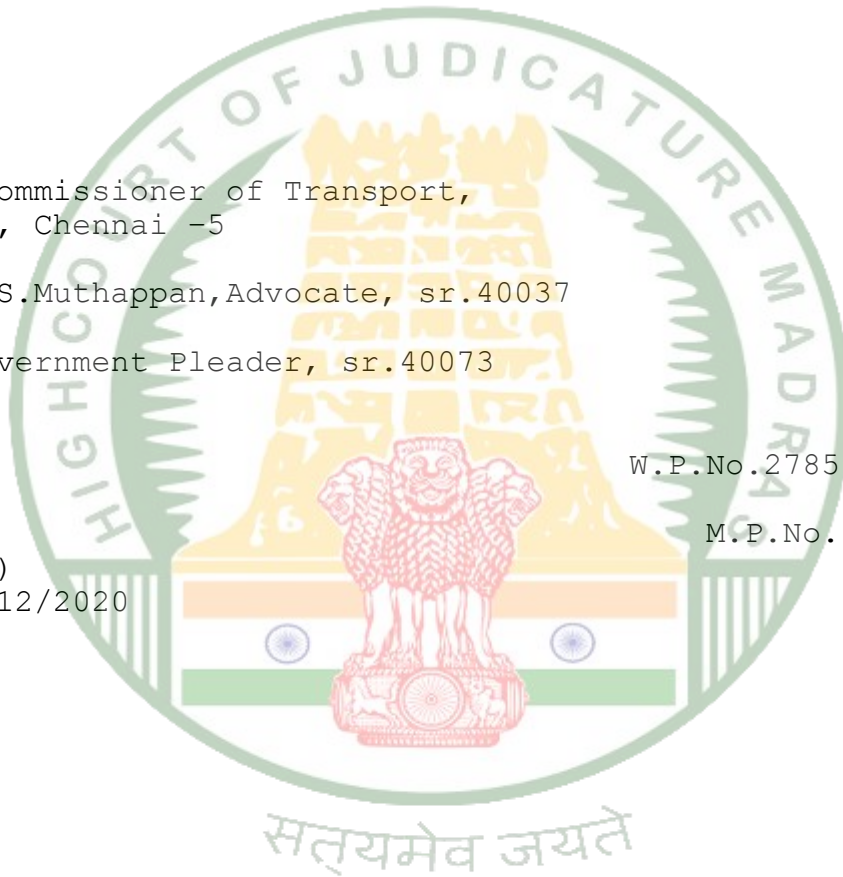
1.The Commissioner of Transport,  
Chepauk, Chennai -5

+1cc M/S.Muthappan,Advocate, sr.40037

+1cc Government Pleader, sr.40073

SRII (CO)  
GSP (30/12/2020

W.P.No.27854 of 2013  
And  
M.P.No.1 of 2013



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