

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.09.2020

CORAM

THE HONOURABLE MR. JUSTICE V.PARTHIBAN

W.P.No.13377 of 2020
& WMP No.16511 of 2020

P.Natarajan

.. Petitioner

Vs.

1.The Tamil Nadu Slum Clearance Board,
rep. by its Secretary,
No.5, Kamaraj Salai,
Chennai- 600 005

2.The Chairman,
The Tamil Nadu Slum Clearance Board,
No.5, Kamaraj Salai,
Chennai- 600 005

.. Respondents

Petition filed under Article 226 of The Constitution of India praying for issuance of a Writ of Mandamus to direct the second respondent to consider and dispose of the representation of the petitioner dated 20.09.2018 in accordance with law.

For Petitioner .. Mr.G.Ravisankar

For Respondents.. Mr.M.Rajasekhar

ORDER

This matter is taken through Web hearing.

2. This Writ Petition has been filed seeking for issuance of a Mandamus, to direct the second respondent to consider and dispose of the representation of the petitioner dated 20.09.2018 in accordance with law.

3.The facts which gave raise to the filing of the Writ Petition are stated hereunder:

The petitioner was working as Community Development Officer in the respondent Board and after serving several years, he also retired from service on 30.09.2017 on attaining the age of

Page numbers

superannuation. According to the petitioner, in 2017, a vacancy had arisen in the post of Chief Community Development Officer consequent to the retirement of one incumbent on 31.05.2017. The petitioner claims that he was eligible to be considered for promotion against the available vacancy in the cadre of Community Development Officer. But unfortunately, he was not considered and in the meanwhile, on attaining the age of superannuation, he stood retired on 30.09.2017.

4. While after his retirement, the petitioner appears to have submitted a representation on 20.09.2018, for consideration of his promotion as Community Development Officer and since no orders were passed, the petitioner has filed the present Writ Petition in 2020.

5. This Court is unable to appreciate the claim of the petitioner as to how the grievance of the petitioner can be considered at this point of time. Admittedly, the petitioner retired from service on 30.09.2017. Nothing is stated in the affidavit as to whether any request was made for his promotion during the period of his service. The representation which is stated to be made as indicated in the affidavit, is the representation dated 20.09.2019, i.e. two years after retirement of the petitioner. The present Writ Petition has been filed after 3 years of his retirement and claiming promotion which according to the petitioner, was due to him in 2017. Such grievance of the petitioner appears to be completely mis-placed and ought not to be entertained. The petitioner cannot leisurely ventilate his grievance after his retirement and approach this Court on the basis of his convenience and choice of time and expect this Court to give a direction as prayed for by him.

6. A claim for promotion after retirement of an employee is not to be entertained in casual circumstances, without disclosure of any specific material as to his entitlement to the promotion to the post of Chief Community Development Officer. In the absence of any material in support of the claim of the petitioner, such Writ Petition ought to be rejected outright.

7. Accordingly, this Writ Petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS-VII)

//True Copy//

Sub Assistant Registrar

Page numbers

dn/suk

To

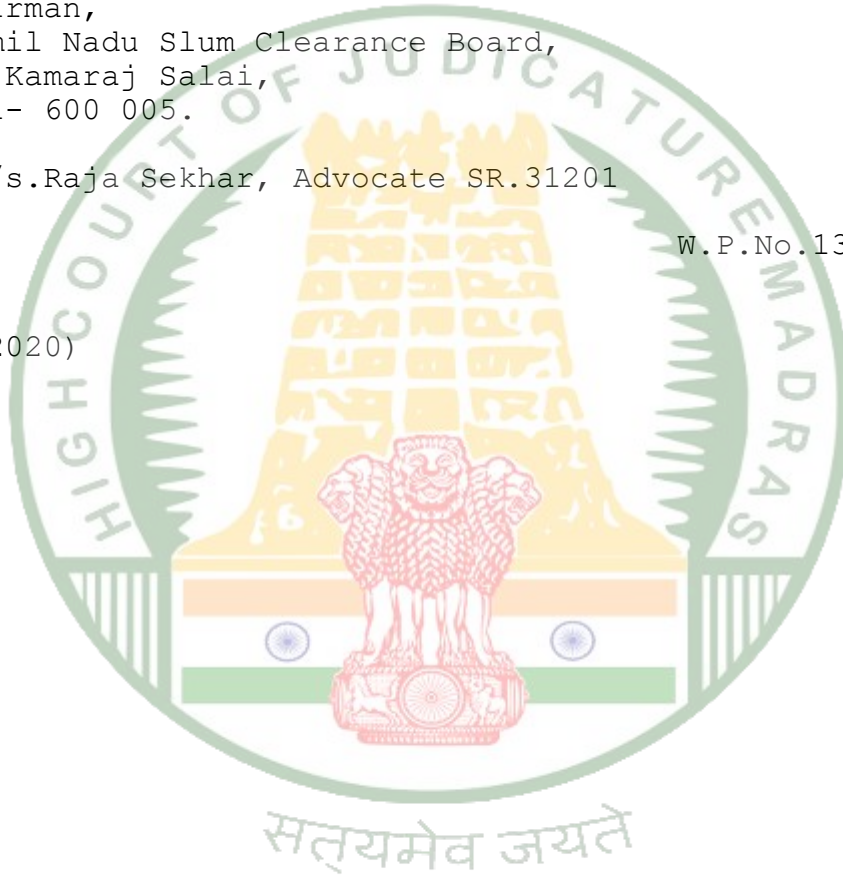
1.The Tamil Nadu Slum Clearance Board,
rep. by its Secretary,
No.5, Kamaraj Salai,
Chennai- 600 005

2.The Chairman,
The Tamil Nadu Slum Clearance Board,
No.5, Kamaraj Salai,
Chennai- 600 005.

+1cc to M/s.Raja Sekhar, Advocate SR.31201

W.P.No.13377 of 2020

MJI (CO)
CB(11/12/2020)



WEB COPY

Page numbers