

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 18.12.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. Nos.20097 and 20099 to 20101 of 2014
and
M.P.Nos.1 to 1 of 2014

Vimala ... Petitioner in WP.No.20097/2014
Gandhimathi ... Petitioner in WP.No.20099/2014
Jayaseelan ... Petitioner in WP.No.20100/2014
K.R.Ravichandran ... Petitioner in WP.No.20101/2014

- Vs -

- 1.The District Treasury Officer,
District Treasury,
Salem,
Salem District. ... 1st respondent
in Wps.20097,20099 & 20101/2014
- 2.The Commissioner of Treasuries and
Accounts, Chennai -15. ... 2nd respondent in all WPs.
- 3.The District Treasury Officer,
District Treasury,
Namakkal,
Namakkal District. ... 1st respondent in Wp.No.20100/2014

Writ petitions filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus, directing the respondents to give promotion to the petitioners to the post of Accountant with effect from the date when it was due retrospectively and thereby include their names in the appropriate place in the panel of Accountant for promotion to the post of Superintendent for the year 2013-14 with all consequential service and Monetary benefits.

In all WPs.

For Petitioners

For Respondents

: M/S.V.Kannan

: Mr.S.Thangavel, Spl.G.P.,

COMMON ORDER

As the relief sought for in all the petitions are similar they are disposed of by this common order.

2. It is averred by the petitioners that the petitions have been filed to direct the respondents to give promotion to the petitioners to the post of Accountant with effect from the date when it fell due and to grant retrospective promotion to the petitioners by including their names in the appropriate place in the panel of Accountant for promotion to the post of Superintendent for the year 2013-14 with all consequential service and Monetary benefits. However, during the pendency of the writ petitions, promotions were granted to the petitioners to the post of Superintendent and, hence nothing survives for further adjudication. However, it is submitted that though the petitioners are entitled for promotion from the year 2014, however they have been given promotion only in the year 2016 for which the petitioners may be permitted to make a representation for grant of promotion retrospectively, i.e., from year 2014 onwards. Accordingly prayer is made to the petitioners to make a representation and to direct the respondents to consider the same within a time frame stipulated by this Court.

3. On the above contention, this Court heard the learned Special Government Pleader appearing for the respondents, who has filed a counter affidavit. However, the learned Special Government Pleader has no serious objection for this Court to issue a direction to the respondent to consider the petitioners representation in accordance with law.

4. The relief of promotion having already been granted, which has been fairly admitted by either side, nothing survives for further adjudication. However, it is the stand of the petitioners that though they were entitled for promotion from the year 2014, however, they have been granted promotion only in the year 2016 and, therefore, liberty is sought for to permit the petitioners to file a representation. Having regard to the limited relief sought for, this Court without going into the merits of the issue, permits the petitioners to make fresh representation to the respondents and if any such representation is received, the second respondent is directed to consider the representation and pass appropriate orders, in accordance with law within a period of three months from the date of receipt of copy of this order.

5.With the above direction, these Writ petitions are disposed of. There shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

jrs

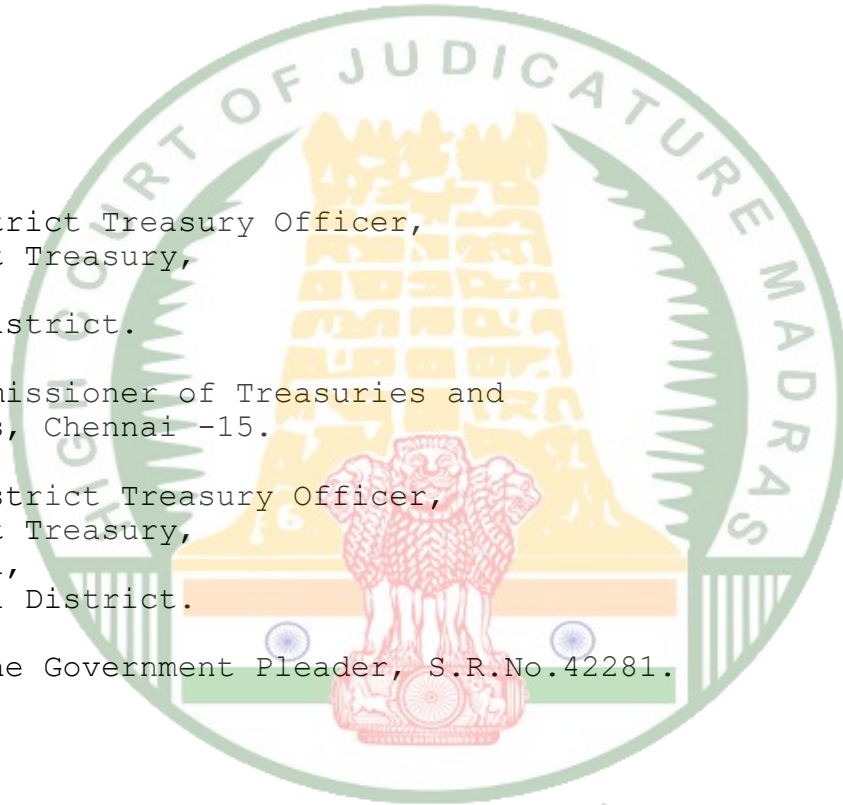
To

1.The District Treasury Officer,
District Treasury,
Salem,
Salem District.

2.The Commissioner of Treasuries and
Accounts, Chennai -15.

3.The District Treasury Officer,
District Treasury,
Namakkal,
Namakkal District.

+lcc to the Government Pleader, S.R.No.42281.



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W.P. NOS.20097,20099 to 20101 of
2014

MG (CO)
NRA (24/02/2021)

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