

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2020

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.Nos.9956 of 2014 and 11228 of 2016

B.Padmavathy ... Petitioner in both the W.Ps.

Vs.

1.The Chairman,
Chennai Port Trust,
Chennai – 600 001.

2.The Secretary,
Chennai Port Trust,
Chennai – 600 001.

... Respondents in both the W.Ps.

3.The Traffic Manager,
Chennai Port Trust,
Chennai – 600 001.

... Respondent in W.P.11228/2016

Prayer in W.P.No.9956 of 2014:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to promote the petitioner as Office Superintendent with effect from 06.09.2013 in the unfilled ST vacancy with all consequential and attendant benefits.

Prayer in W.P.No.11228 of 2016:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to promote the

petitioner as Office Superintendent in the Backlog vacancy Scheduled Tribe (ST) with effect from the date of promotion to the post of Assistant Superintendent in the light of Brochure on Reservation for SC ST and other backward Classes under Chapter 6 "Filling up of Reserved vacancies" under the Sub Heading "6.12 promotion by non selection" and in the light of Department of Personnel and Training OM NO 22011/1/90 Estt (D) dated 12.10.1990 and also as requested by the petitioner dated 5/7/12 as in the light of the promotion granted to the General Category Employee by waiving the requirement of 2 years qualifying service with all service and monetary benefits.

For Petitioner : Mr.S.Selvathirumurugan

For Respondents : Mr.Haja Mohideen Gisthi
in W.P.No.9956 of 2014
Mr.M.Palanimuthu
in W.P.No.11228 of 2016

COMMON ORDER

W.P.No.9956 of 2014 has been filed seeking issuance of a Writ of Mandamus directing the respondents to promote the petitioner as Office Superintendent with effect from 06.09.2013 in the unfilled ST vacancy with all consequential and attendant benefits.

2.W.P.No.11228 of 2016 has been filed seeking issuance of a Writ of Mandamus directing the respondents to promote the petitioner

as Office Superintendent in the Backlog vacancy Scheduled Tribe (ST) with effect from the date of promotion to the post of Assistant Superintendent in the light of Brochure on Reservation for SC ST and other backward Classes under Chapter 6 "Filling up of Reserved vacancies" under the Sub Heading "6.12 promotion by non selection" and in the light of Department of Personnel and Training OM NO 22011/1/90 Estt (D) dated 12.10.1990 and also as requested by the petitioner dated 5/7/12 as in the light of the promotion granted to the General Category Employee by waiving the requirement of 2 years qualifying service with all service and monetary benefits.

3. When the writ petitions were taken up for hearing, the learned counsel appearing for the petitioner submitted that though the petitioner has sought for larger relief in these writ petitions, it would suffice, if this Court issue direction to the respondents to consider the petitioner's representation dated 19.02.2016 and to dispose of the same, within a reasonable time frame.

4. The learned counsels appearing for the respondents submitted that the petitioner's representation will be considered in accordance with law.

5.In view of the limited request now made by the learned counsel appearing for the petitioner, this Court directs the petitioner to send a copy of the representation dated 19.02.2016 along with a copy of this order to the respondents, within a period of two weeks from the date of receipt of a copy of this order, so as to enable the respondents to pass appropriate orders. The respondents are directed to consider the petitioner's representation dated 19.02.2016, on merits and in accordance with law and to pass appropriate orders, within a period of twelve weeks thereafter.

6.These writ petitions are accordingly disposed of. No costs.

15.12.2020

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Speaking Order/ Non Speaking Order
Index: Yes/ No Internet: Yes/ No

To

1.The Chairman,
Chennai Port Trust,
Chennai – 600 001.

2.The Secretary,
Chennai Port Trust,
Chennai – 600 001.

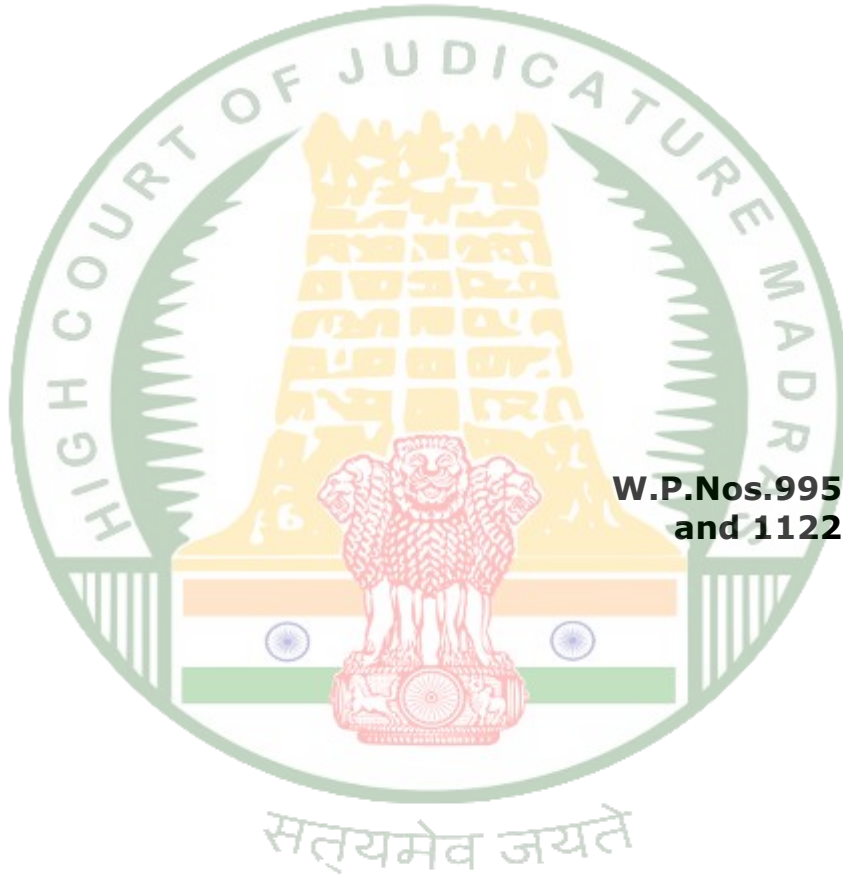
3.The Traffic Manager,

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W.P.Nos.9956 of 2014 and 11228 of 2016

Chennai Port Trust,
Chennai – 600 001.

M.DHANDAPANI,J.
pri



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