

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 18.02.2021

CORAM :
THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.3289 of 2021

P.Raghunandanan

... Petitioner

Vs.

1. The Director of Public Library,
No.737/1, Anna Salai,
Chennai 600 002.

2. The District Library Officer,
Cuddalore District,
Cuddalore.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the Respondents to pass orders granting promotion to the Petitioner in the post of Grade II Librarian with effect from 02.03.2019 on par with juniors, based on seniority in the post of Grade III Librarian, based on the representations submitted by the Petitioner on 28.11.2019 and 16.12.2020, with all consequential and other attendant benefits, including the payment of arrears of salary.

For Petitioner : Mr.A.Maheshnath,
for Mr.G.Sankaran

For Respondents : Mr.P.Raja,
Government Advocate

O R D E R

Petitioner has come up with this Writ Petition seeking a direction to the Respondents to pass orders granting him promotion in the post of Grade II Librarian with effect from 02.03.2019 on par with juniors, based on seniority in the post of Grade III Librarian, based on his representations dated 28.11.2019 and 16.12.2020, with all consequential and other attendant benefits, including the payment of arrears of salary.

2. Heard the learned counsel on either side and perused the material documents available on record.

3. It is stated by the Petitioner that, she was not considered for promotion to the post of Grade II Librarian in spite of his eligibility in the year 2019. According to him, when his claim is already protected as per the judgment dated 12.07.2013 rendered in W.A.No.1327 of 2013 and when he has fulfilled all the necessary qualifications as on the crucial date, the official Respondents ought to have considered his claim for inclusion of panel and promotion.

4. Taking note of the submissions of the learned counsel on either side, if the Petitioner's representation dated 28.11.2019 and 16.12.2020 are still pending with the Authorities concerned, this Court directs the Respondents to consider the Petitioner's representations, after affording him an opportunity of hearing either physically or virtually and pass appropriate orders in accordance with law within a period of sixty days from the date of receipt of a copy of this order.

5. The Petitioner shall furnish his phone number, Email ID, if any, etc., along with a copy of his representation dated 28.11.2019 and 16.12.2020 and a copy of this order to the Respondents, forthwith. Respondents are directed to communicate the decision taken on the representations, to the Petitioner within a period of three weeks from the date of decision taken thereon, by way of SMS/Email/Registered Post/Speed Post, so that there is no need for the parties to file a Contempt Petition after expiry of the specified period. In case, Authorities concerned fail to send communication to the parties, they will have to face civil imprisonment in case of contempt proceedings and, if they are unable to serve the order and the cover being returned unserved for one reason or the other, the same shall be kept in the file without opening it for the sake of proof of delivery, so that the parties, at a later point of time, will not take a plea that, they are not aware of the order of this Court.

6. It is made clear that, if the Petitioner does not appear before the Respondents either physically or virtually, appropriate orders may be passed without hearing him.

With the above directions, the Writ Petition stands disposed of. No costs. Consequently, connected W.M.P.No.3737 of 2021 is closed.

Sd/-

Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

(aeb)

To:

1. The Director of Public Library,
No.737/1, Anna Salai,
Chennai 600 002.
2. The District Library Officer,
Cuddalore District,
Cuddalore.

+lcc to Mr.G.Sankaran, Advocate, S.R.No.10215.
+lcc to the Government Pleader, S.R.No.9937.

W.P.No.3289 of 2021

PMK(CO)
CSR 18.03.2021



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