



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.07.2021

CORAM:

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

W.P. No. 13536 of 2021

and W.M.P. No.14401 of 2021

G.Venkateswaran

.. Petitioner

Versus

1.The Additional Chief Secretary to Government,
Home (Transport) Department,
Fort St. George, Chennai - 9.

2.The Transport Commissioner,
Chepauk, Chennai - 5.

3.The Deputy Transport Commissioner,
Salem Zone, Salem.

4.The Joint Transport Commissioner,
Chennai (South Zone), Chennai.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to restore the seniority of the petitioner in the cadre of Regional Transport Officer at par with his junior, on the basis of his appointment as Motor Vehicle Inspector, Grade-II, w.e.f. 08.04.1996 and consequential directions to the respondents to consider the claim of the petitioner for promotion as Deputy Transport Commissioner by including his name in the panel for the year 2020-21 and promote him as such, without reference to the pending departmental action initiated in Charge Memo R.No.1917/A2/2012 dated 18.06.2013 issued by the third respondent and Charge Memo No.002228/A3/2019 dated 06.02.2020 issued by the fourth respondent.

For Petitioner : Mr. M.Alagu Goutham
For Respondent -1 : Mr. C.Kathiravan
Government Advocate

O R D E R

With the consent of both the parties, this writ petition is taken up for final hearing at the admission stage itself.

2. This writ petition is filed for issuing a writ of mandamus directing the respondents to restore the seniority of the petitioner in the cadre of Regional Transport Officer at par with his junior, on the basis of his appointment as Motor Vehicle Inspector, Grade-II, w.e.f. 08.04.1996 and



consequential directions to the respondents to consider the claim of the petitioner for promotion as Deputy Transport Commissioner by including his name in the panel for the year 2020-21 and promote him as such, without reference to the pending departmental action initiated in Charge Memo R.No.1917/A2/2012 dated 18.06.2013 issued by the third respondent and Charge Memo No.002228/A3/2019 dated 06.02.2020 issued by the fourth respondent.

3. Though the prayer sought in this writ petition is to issue a positive direction to the respondents, learned counsel appearing for the petitioner states that the petitioner will be satisfied if a direction is issued to the first respondent to consider and pass orders on the petitioner's representation dated 09.06.2021, within a time stipulated by this Court.

4. Having regard to the limited scope of prayer that is now sought before this Court by the learned counsel for the petitioner, without expressing any opinion on the merits of the petitioner's representation or the case pleaded before this Court, this writ petition is disposed of with a direction to the first respondent to consider the petitioner's representation dated 09.06.2021, and dispose of the same on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

bkn

To

1. The Additional Chief Secretary to Government,
Home (Transport) Department,
Fort St. George, Chennai - 9.
2. The Transport Commissioner,
Chepauk, Chennai - 5.
3. The Deputy Transport Commissioner,
Salem Zone, Salem.
4. The Joint Transport Commissioner,
Chennai (South Zone), Chennai.

+1cc to M/s.M.Muthappan, Advocate, SR No.31757

+1cc to The Government Pleadaer, SR No.31412

W.P. No. 13536 of 2021

PMK(CO)

B.VC(23.07.2021)

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