

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.01.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.7356 of 2014

C.Palanisamy

... Petitioner

Vs.

1.The State of Tamil Nadu

Rep. by its Secretary to Government,
Labour and Employment Department
Secretariat, Fort St.George,
Chennai - 600 009.

(R1 deleted as per order dated 25.03.2015
by MMSJ in MP.1/14 in WP.7356/2014)

2.The Director of Employment and Training

Guindy,
Chennai - 600 032.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to revise the seniority of the petitioner in the post of Junior Training Officer (JTO) by including the name of the petitioner in the panel prepared as on 01.08.1998 or 01.08.1999 based on the eligibility of the petitioner without reference to any declaration of probation in the post of Workshop Assistant on consideration of the fact that the petitioner was posted as Workshop Assistant by recruitment by transfer, with consequential and attendant benefits by considering the representation submitted by the petitioner dated 06.09.2011 and 09.02.2012, within a time frame to be fixed by this Hon'ble Court.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.P.Chinnadurai
Additional Government Pleader

O R D E R

The writ petition has been filed seeking issuance of Writ of Mandamus directing the respondents to revise the seniority of the petitioner in the post of Junior Training Officer (JTO) by

including his name in the panel prepared as on 01.08.1998 or 01.08.1999 with consequential and attendant benefits, by considering his representations, within a time frame to be fixed by this Court.

2.In the counter affidavit filed on behalf of the second respondent, it is stated that for the post of Junior Training Officer, the incumbent must be an approved probationer in the post of Workshop Assistant. As the petitioner had not completed his probation before 09.03.2000, he was not included in the panels for promotion to the post of Junior Training Officer for the years 1998 and 1999. It is further stated that several appeal representations of the petitioner have been disposed of by the Labour and Employment Department on 06.10.2010 itself.

3.However, when the matter was taken up for consideration, the learned counsel appearing for the petitioner submitted that the rejection order was sought to be reviewed before the concerned Authority and the same is still pending and hence, the same may be directed to be disposed of by the concerned Authority.

4.The learned Additional Government Pleader appearing for the respondents has no serious objection for giving such relief to the petitioner.

5.In view of the submission now made by the learned counsel for the petitioner, which has not been seriously opposed by the learned Additional Government Pleader appearing for the respondents, this Court directs the concerned Authority to dispose of the representation if any, with respect to review of the rejection order, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

6.Accordingly, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Director of Employment and Training
Guindy,
Chennai - 600 032.

+1cc to Mr.G.Sankaran, Advocate SR.2485
+1cc to the Government Pleader SR.1837

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AK II(CO)
CB(19/03/2021)