

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 02.02.2021

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.NO.32193 OF 2014

M.Arjunan

... Petitioner

Vs

Tamilnadu Warehousing Corporation,
Represented by its Managing Director,
82 Annasalai, Guindy,
Chennai - 600 032.

... Respondent

Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondent to consider the name of the petitioner for appointment to the post of Junior Assistant or in the alternate consider his case for promotion to the post of Record Clerk (Attender) and promote the petitioner to the said post with all consequential benefits.

For Petitioner : Mr.V.Suthakar

For Respondent : Mr.J.Ramesh, AGP

O R D E R

This writ petition has been filed for a direction to the respondent to consider the name of the petitioner for appointment to the post of Junior Assistant or consider his case for promotion to the post of Record Clerk (Attender) with all consequential benefits.

2.According to the petitioner, he was appointed as Watchman in Tamil Nadu Warehousing Corporation at Katpadi Godown with effect from 18.02.1992 on consolidated pay and was working as such till 30.03.1995. Subsequently, he was terminated from services, against which, the petitioner raised a dispute in I.D.No.108/96 before the Labour Court, Vellore and the same was allowed on 26.02.1999. Pursuant to the same, he was reinstated in service on 23.06.1999 as watchman and was brought into time scale of pay on 26.02.1999. Thereafter, the petitioner requested for promotion to the post of Record Clerk or Junior Assistant,

which was rejected by the respondent orally stating that as and when his turn comes as per seniority, he will be considered for appointment. However, part time sweepers were promoted directly as Office Assistants contrary to the service Rules. Feeling aggrieved, the petitioner has come up with this writ petition for the aforesaid relief.

3.Today, when the matter was taken up for consideration, the learned counsel for the Petitioner submitted that the petitioner would be satisfied, if the representation dated 24.01.2012 submitted by him for the relief as claimed in this writ petition, is directed to be considered by the respondent, within a time frame to be stipulated by this Court.

4.On the other hand, the learned Additional Government Pleader appearing for the respondent has no serious objection for granting such relief to the petitioner.

5.Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the respondent to consider the petitioner's representation dated 24.01.2012 and pass appropriate orders on merits and in accordance with law, within a period of eight (8) weeks from the date of receipt of a copy of this order.

6.This Writ Petition is disposed of with the above direction. No costs.

Sd/-
Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

The Managing Director,
Tamilnadu Warehousing Corporation,
82 Annasalai, Guindy,
Chennai - 600 032.

+1cc to the Government Pleader, S.R.No.5557

W.P.No.32193 of 2014

KJ(CO)
CS/28/06/2021