



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

D A T E D: 22.09.2021

C O R A M

THE HON'BLE MR.JUSTICE C.SARAVANAN

WRIT PETITION NO.20311 OF 2021

AND

WMP.NO.21561 OF 2021

(THROUGH VIDEO CONFERENCING)

V.Manimegalai
Deputy Manager (Quality Control)
Vellore Dairy,
Vellore.

... Petitioner

Vs.

1. The Commissioner
Co-operative Milk Producers Federation Ltd.,
3A, Pasumpon Muthuramalinganar Salai,
Nandhanam, Chennai - 600 003.

2. The General Manager,
Aavin,
No.142, Arcot Road,
Sathuvachari,Vellore-632009.

... Respondents

Prayer:-

Writ Petition filed under Article 226 of the Constitution of India, to issue a writ of Mandamus to direct the Respondents to give legitimate promotion to the Petitioner from the post of Deputy Manager(Quality Control) Vellore Dairy to the next cadre of manager based on the petitioner's representation dated 16.12.2020.

For Petitioner : Mr.M.Rajendiran

For Respondents : Mr.L.S.M.Hasan Fizal
Government Advocate for R1& R2



O R D E R

The petitioner has sent a representation dated 16.12.2020 asking the respondents to promote the petitioner. The petitioner further submits that the petitioner was issued with charge memo dated 07.07.2015, which has culminated in a punishment order dated 02.01.2017 whereby with holding of annual increment of six months with cumulative effect has been imposed on the petitioner.

2. The learned counsel for the petitioner submits that the petitioner has worked for 26 years without any promotion as a Deputy Manager with the Respondent. It is further submitted that the Petitioner's junior is being promoted and the legitimate right of the petitioner was over looked to promote as a Manager.

3. Considering the fact that the petitioner has been punished only with holding of annual increment for a period of six months with cumulative effect and the punishment has no currency as on date, the petitioner's case requires to be considered by the Respondents.

4. In these circumstances, the Respondents are directed to consider the representation of the Petitioner dated 16.12.2020 within a period of three months from the date of receipt of a copy of this order. It is made clear that in case the petitioner is otherwise eligible to be promoted, the Respondent shall not promote the Petitioner's junior over looking the rights of the petitioner to be promoted as a Manager.

5. This writ petition is stands disposed of in the above directions. No costs. Consequently, connected WMP is closed.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

rrg

To

1. The Commissioner
Co-operative Milk Producers Federation Ltd.,
3A, Pasumpon Muthuramalinganar Salai,
Nandhanam, Chennai - 600 003.



2. The General Manager,
Aavin,
No.142, Arcot Road,
Sathuvachari, Vellore - 632 009.

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+1cc to Mr.M.Rajendiran, Advocate, S.R.No.48707

W.P.No.20311 of 2021

VSNI (CO)
PM/05/10/2021
PM/07/10/2021