

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.03.2021

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.19426 of 2014

And

M.P.No.1 of 2014

J.Ellangovan

... Petitioner

Vs.

1.The Secretary to Government,
Home (Police V) Department
Fort St.George,
Chennai - 9.

2.The Director General of Police,
Tamil Nadu,
Chennai - 4.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to conduct the promotion board for recommending eligible candidates for promotion from the post of P.A. to the post of Senior Administrative Officer for the panel year 2013-14 and consider the claim of the petitioner for promotion as Senior Administrative Officer and promote him as Senior Administrative Officer and grant him all consequential service and monetary benefits.

For Petitioner : Mr.M.Muthappan

For Respondents: Mr.J.Ramesh

Additional Government Pleader

O R D E R

The petitioner has filed this writ petition seeking direction to the respondents to conduct promotion board for recommending eligible candidates for promotion from the post of P.A. to the post of Senior Administrative Officer for the panel year 2013-14 and to consider his claim for promotion as Senior Administrative Officer and for consequential benefits.

2.The case of the petitioner is that he was appointed as Junior Assistant on 24.11.1976 and was promoted as Assistant on 10.08.1984 and was further promoted as Superintendent on 29.12.1996 and was further promoted as Personal Assistant on 24.02.2009. According to the petitioner if promotion board has been conducted for the year 2013-14, he would have been promoted as Senior Administrative Officer. Hence, he has filed this writ petition for the aforesaid relief.

3.The respondents have filed a counter affidavit stating that the case of the petitioner along with batchmates, who were eligible were considered and those who were found fit were included in the panel for promotion as Senior Administrative Officers for the year 2012-2013, but the petitioner's name has not been included due to the currency of the punishment of 'censure'.

4.The learned counsel appearing for the petitioner submitted that during the pendency of this writ petition, the petitioner retired from service on 30.06.2015 on attaining the age of superannuation. Hence, liberty may be given to the petitioner to approach the respondents with representation seeking notional benefits, if any, for which, the learned Additional Government Pleader appearing for the respondents raised no serious objection.

5.Since the petitioner's claim is related to the period 2013-14 and various panels had already been made subsequently and also considering the fact that the petitioner is superannuated, liberty is granted to the petitioner to approach the respondents with representation seeking notional benefits, if any, within a period of two weeks from the date of receipt of a copy of this order. If any such representation is made by the petitioner, the respondents shall consider the same and pass appropriate orders, on merits and in accordance with law, within a period of four weeks thereafter.

6.With the above direction, the writ petition stands disposed of. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VIII)

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Sub Assistant Registrar

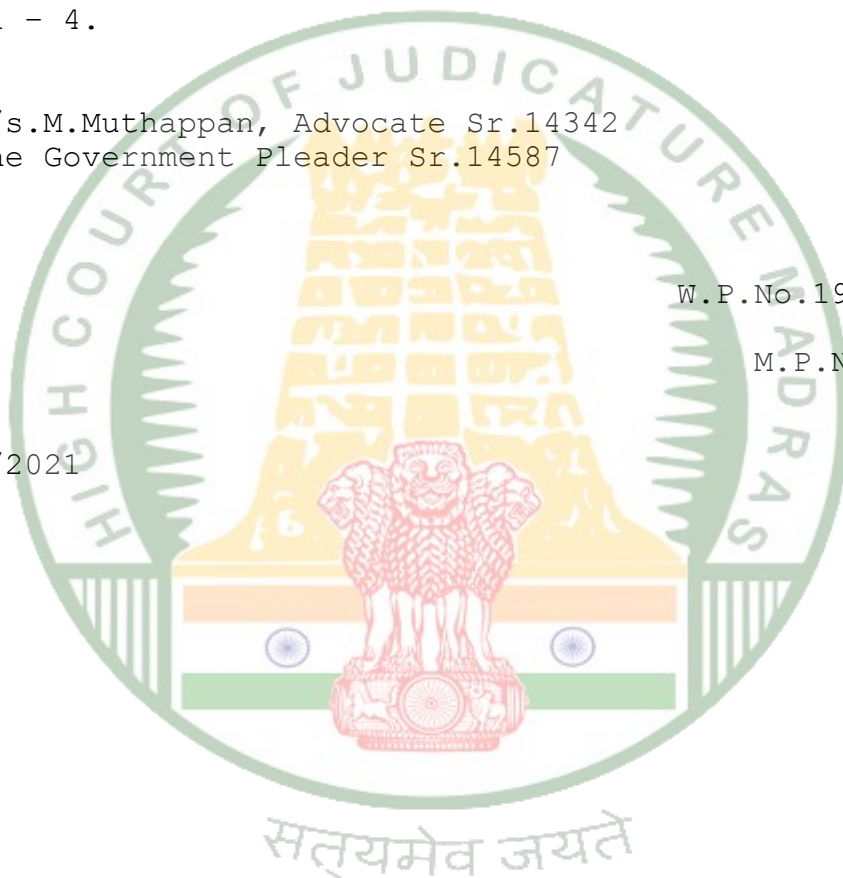
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To

- 1.The Secretary to Government,
Home (Police V) Department
Fort St.George,
Chennai - 9.
- 2.The Director General of Police,
Tamil Nadu,
Chennai - 4.

+1cc to M/s.M.Muthappan, Advocate Sr.14342
+1cc to the Government Pleader Sr.14587

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srg 29/03/2021



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