



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :15.03.2021

CORAM:

THE HONOURABLE **MR.JUSTICE M.DHANDAPANI**

W.P. (MD)No.12228 of 2017

and

W.M.P. (MD) .No.9406 of 2017

Rajendra Chozhan

.. Petitioner

Vs

1.The Managing Director,
Public Works Department (PWD),
31, Kamarajar Salai,
Chepauk,
Chennai-600 005.

2.The Engineer-in Chief W.R.D &
Chief Engineer(General),
Public Works Department (PWD),
31, Kamarajar Salai,
Chepauk, Chennai-600 005.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to grant notional promotion to the petitioner as Chief Personal Officer (CPO) from the date of approval accorded by TNPSC and to give salary and revised pensionary benefits.

For Petitioner : Mr.V.O.S.Kalaiselvam

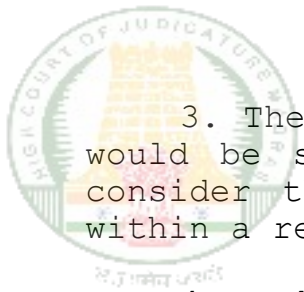
For Respondents : Mr.A.Karthik

Government Advocate

O R D E R

The prayer sought for in the present writ petition is for a direction to the respondents to grant notional promotion to the petitioner as Chief Personal Officer (CPO) from the date of approval accorded by TNPSC and to give salary and revised pensionary benefits.

2. The case of the petitioner is that the petitioner joined as Junior Assistant in the Public Works Department in the year 1976 and acquired promotion at the level of Administrative Officer in the year 2012. However, the petitioner made a representation on 22.04.2017 to grant notional promotion to the petitioner from the date on which TNPSC approved notional promotion to the petitioner as Chief Personal Officer . But so far, the said representation was not considered. Hence, the petitioner approached this Court with the above said prayer.



3. The learned counsel for the petitioner would submit that it would suffice if a direction is issued to the respondents to consider the representation of the petitioner dated 22.04.2017 within a reasonable time as fixed by this Court.

4. The learned Government Advocate appearing for the respondents would submit that though the respondents filed counter, however, there is no averments with regard to the petitioner's representation and further he has no serious objection to consider the representation of the petitioner.

5. Heard the learned counsel appearing for the petitioner as well as the learned Government Advocate appearing for the respondents and perused the materials placed on record.

6. Considering the facts and circumstances of the case and considering the submissions made by the learned counsel on either side, this Court, without going to the merits of the case, is inclined to issue a direction to the respondents to consider the representation of the petitioner within a reasonable time. Accordingly, this Court directs the respondents to consider the representation of the petitioner dated 22.04.2017 and pass appropriate orders, on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CO)

// True Copy //

/ /2021

Sub Assistant Registrar(CS)

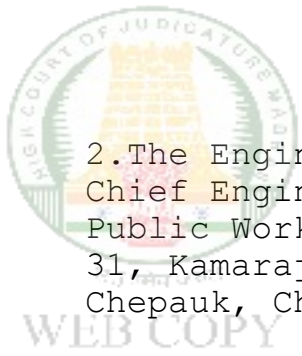
PJL

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

To

1.The Managing Director,
Public Works Department (PWD),
31, Kamarajar Salai,
Chepauk,
Chennai-600 005.

<https://hcservices.ecourts.gov.in/hcservices/>



2.The Engineer-in Chief W.R.D &
Chief Engineer(General),
Public Works Department (PWD),
31, Kamarajar Salai,
Chepauk, Chennai-600 005.

+1 CC to M/s.V.O.S.KALAISELVAM, Advocate (SR-11196[F] dated
15/03/2021)

+1 CC to M/s.SPL GP (SR-11619[F] dated 16/03/2021)

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15.03.2021

RK(12.05.2021) 3P 5C