



WEB COPY



W.P.No.28888 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.11.2022

CORAM:

THE HON'BLE MR. JUSTICE ABDUL QUDDHOSE

W.P.No.28888 of 2022

M.Venkatesan

... Petitioner

Versus

1. The Commissioner,
Milk Production and Dairy Development,
Madhavaram,
Chennai-600 051.

2. The Deputy Registrar (Dairy),
Krishnagiri District.

3. The General Manager,
The Krishnagiri District Co-op.Milk Producers Union Ltd,
Kanagamutulu Post,
Salem Main Road, Krishnagiri Dt,
Tamil Nadu-635 001.

... Respondents

Prayer:-Petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of Mandamus directing the respondents to promote the petitioner as “Junior Executive (Office)” in the “Krishnagiri District Co-op Milk Producers Union Ltd” with notional effect from 2014 and pay all other attendant benefits attached to the said post of Junior Executive (Office) with effect from 2014 considering the petitioner's representation dated 10.02.2022.



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For Petitioner : Mr.P.R.Thiruneelakandan

For Respondents : Mr.L.S.N.Hasan Fizal
AGP
R.1 and R.2
Mr.I.John Arockiadas
Standing Counsel
For R.3

ORDER

This writ petition has been filed for a Mandamus seeking for a direction to the respondents to promote the petitioner as “Junior Executive (Office)” in the “Krishnagiri District Co-op Milk Producers Union Ltd” with notional effect from 2014 and pay all other attendant benefits attached to the said post of Junior Executive (Office) with effect from 2014 based on the petitioner's representation dated 10.02.2022.

2. The petitioner claims that he ought to have been promoted as Junior Executive(Office) in Krishnagiri District Co-op Milk Producers Union Ltd in the year 2014 itself. However, he was deprived of promotion by the improper promotion given to S.Dhanabal, who did not have the eligibility. Thereafter, S.Dhanabal was reverted back to his original post prior to his promotion after finding that he was not eligible to hold the post of Junior Executive (Office). Therefore, the petitioner claims that since he was deprived of promotion as



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Junior Executive (Office) in the year 2014 due to improper promotion given to S.Dhanabal, who was subsequently reverted to his original post, he has given a representation on 10.02.2022 to the respondents requesting them to notionally promote the petitioner as Junior Executive (Office) from the year 2014. Since the representation has not been considered till date, the petitioner has filed this writ petition.

3. Heard Mr.P.R.Thiruneelakandan, learned counsel for the petitioner, Mr.L.S.N.Hasan Fizal, learned Additional Government Pleader accepts notice on behalf of the respondents 1 and 2 and Mr.I.John Arockiadass, learned Standing Counsel accepts notice on behalf of the third respondent. By consent of both the parties, the main writ petition has been taken up for final disposal.

4. Learned Standing Counsel appearing for the third respondent, on instructions, would submit that they are willing to give promotion to the petitioner as prayed for in his representation. However, he would submit that final orders have to be passed by the first respondent.

5. No prejudice would be caused to the respondents if the petitioner's



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representation dated 10.02.2022, referred to supra, is considered on merits and

in accordance with law within a time frame to be fixed by this Court.

6. For the foregoing reasons, this Court directs the first respondent to pass final orders on merits and in accordance with law on the petitioner's representation dated 10.02.2022, seeking for notional promotion as Junior Executive (Office) in the Krishnagiri District Co-op Milk Producers Union Ltd with effect from 2014 and pay all other attendant benefits attached to the said post with effect from 2014 within a period of twelve weeks from the date of receipt of a copy of this order.

With the aforesaid direction, the writ petition is disposed of. No costs.

02.11.2022

sr

Index: Yes/No

Speaking Order/Non-Speaking Order



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ABDUL QUDDHOSE,J.

sr

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