



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 11.03.2022

CORAM

THE HONOURABLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.(MD) No.10353 of 2019

and

W.M.P.(MD) Nos.7972 to 7974 of 2019

M.Singh Siva Gnanadhas

... Petitioner

-vs-

1.Indian Rare Earths Limited,
(A Government of India Undertaking),
Rep, by its Chairman & Managing Director,
Appellate Authority, Corporate Office,
Plot.No.1207, Opp., to Siddhi Vinayak Temple,
Veer Savarkar Marg, Prabhadevi, Mumbai-27.

2.The Chief General Manager and Head,
(Disciplinary Authority), (M.K.Plant),
Indian Rare Earths Limited,
(A Government of India Undertaking),
Manavalakurichi-629 252, Kanyakumari.

... Respondents

Prayer:- Petition filed under Article 226 of the Constitution of India praying for issuance of Writ of Certiorarified Mandamus to call for the impugned order dated 08.11.2018 under Reference : MK/HRM.3/2018/545 passed by the 2nd respondent and quash the same as illegal and devoid of merits and consequently direct the respondents to promote the petitioner from the post of Tradesman (E) / Fitter (W8) Grade to Senior Tradesman Operator (Mechanical) (W9) Grade as from 01.07.2018 as per the time bound cause for promotion in the office of the respondents forthwith.

For Petitioner : Mr.S.Palani Velayutham

For Respondents : Mr.K.Saravanan

O R D E R

The communication dated 08.11.2018 issued by the 2nd respondent reveals that the petitioner was imposed with the
<https://hcservices.ecourts.gov.in/hcservices/>



punishment of Censure in order dated 23.07.2015 and the said punishment was in currency during the qualifying period for promotion. However, the currency for the punishment of Censure is one year and after the expiry of the Censure, the case of the petitioner was considered and he was promoted to the higher post.

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2. In view of the fact that the punishment is not under challenge and became final and after the expiry of the Censure period, the petitioner was granted with promotion, this Court is of the opinion that no further adjudication needs to be undertaken in this writ petition, as there is no infirmity in the communication issued by the 2nd respondent and the writ petition is liable to be dismissed.

3. Accordingly, this Writ Petition stands dismissed. However, there shall be no order as to costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Assistant Registrar (CS III)

/TRUE COPY/

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Sub Assistant Registrar (CS)

abr
To

+1 CC to M/s.GUPTA @ RAVI, Advocate (SR-11790[F] dated 14/03/2022)

+1 CC to M/s.S.PALANI VELAYUTHAM, Advocate (SR-11938[F] dated 14/03/2022)

W.P. (MD) No.10353 of 2019
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MK/28.03.2022/2P/3C