



WEB COPY



W.P.No.3338 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 05.09.2023

CORAM :

THE HONOURABLE MR. JUSTICE N. SATHISH KUMAR

W.P.No.3338 of 2022

G.Muthunagalingam

... Petitioner

Vs.

1.The Commissioner of Technical Education,
Directorate of Technical Education,
Chennai – 25.

2.The Secretary to Government of Tamil Nadu,
Higher Education (C2) Department,
Fort St. George, Chennai – 600 009.

3.The Principal,
Valivalam Desikar Polytechnic College,
Nagapattinam – 611 001.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus to direct the 1st respondent to issue orders promoting the petitioner to the post of Junior Drafting Officer from the date of the eligibility of the petitioner to the said post with all attendant and monetary benefits, as sought vide representation dated 06.12.2021.

For Petitioner : Mr.N.A.Nassir Hussain

For R1 and R2 : Mr.M.Alagu Gowtham
Government Advocate

For R3 : Mr.I.Kowser Nissar



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ORDER

This writ petition has been filed to direct the 1st respondent to issue orders promoting the petitioner to the post of Junior Drafting Officer from the date of the eligibility of the petitioner to the said post with all attendant and monetary benefits, as sought vide representation dated 06.12.2021.

2.It is the case of the petitioner that he joined the 3rd respondent Polytechnic College on 24.09.1990 and is working as Lab Assistant and now, he is fully qualified and eligible for promotion to the post of Junior Drafting Officer. As per G.O.(Ms) No.303, Higher Education (C1) Department, dated 12.12.2018, the vacancies in the promotional posts are to be filled up considering the claim of the qualified persons in that Institution and by the Management. It is the grievance of the petitioner that the Management of the 3rd respondent College has recommended the name of the petitioner for the promotional post vide proceedings dated 15.10.2020, however, the 1st respondent has not acted upon the recommendation of the 3rd respondent and no orders have been passed so far. Hence, the writ.



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3.Heard the learned counsel for the petitioner, Mr.M.Alagu Gowtham, learned Government Advocate, who takes notice for the respondents 1 and 2 and Mr.I.Kowser Nissar, learned counsel, who takes notice for the 3rd respondent.

4.The learned Government Advocate would submit that the 1st respondent will pass orders on the recommendation made by the 3rd respondent College.

5.In view of the submission made by the learned Government Advocate and considering the limited nature of the relief sought for in the present writ petition, there shall be a direction to the 1st respondent to consider the recommendation made by the 3rd respondent College as regards the promotion of the petitioner, and pass appropriate orders on its own merits and in accordance with law, within a period of three months from the date of receipt of a copy of this order.



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6. With the above direction, this writ petition is disposed of. No costs.

05.09.2023

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Internet : Yes

Index : Yes / No

Neutral citation : Yes / No

Speaking order / Nonspeaking order

To

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Directorate of Technical Education,
Chennai – 25.
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