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Writ Petition No.3497 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2023

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.3497 of 2023

M.Prabakaran
S/o.Late B.A.Manickam

...Petitioner

Vs

1.The Commissioner,
Milk Production and Dairy Development,
Aavin Illam, Nandanam,
Chennai - 600 035.

2.The General Manager,
Erode District Milk Producers Union Ltd.,
Aavin, Vasavi College Post - 638 316.
Erode District.

... Respondents

PRAYER : Writ Petition filed Under Article 226 of the Constitution of India, to issue a writ of mandamus directing the second respondent to promote the petitioner in the post of Selection Grade Executive (Office) with retrospective effect from 10.07.2011 considering G.O.Ms.No.210, dated 11.03.1987 consequently directing the second respondent to promote the petitioner in the post of Deputy Manager with retrospective effect from 26.10.2017 with all attendant benefits by considering the petitioner's representations dated 29.05.2021, 19.05.2022 and 01.12.2022 within a stipulated period of time as fixed by this Court.



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For Petitioner : Mr.R.Ezhilarasan

For Respondents : Mr.V.Rajinikanth
Standing Counsel

ORDER

This writ petition has been filed seeking for issuance of a writ of mandamus directing the second respondent to promote the petitioner to the post of Selection Grade Executive (Office) with effect from 10.07.2011 by considering G.O.Ms.No.210, dated 11.03.1987 and also grant consequential promotions with all attendant benefits based on the representations made by the petitioner.

2. The case of the petitioner is that he was appointed as Junior Assistant in the second respondent Union in the year 1991. After completion of ten years, the petitioner was placed in the selection grade post on 10.07.2001 and thereafter, special grade post was given on 10.07.2011. After the petitioner had put in 25 years of service, he was given promotion as Executive (Office) only on 19.01.2016.

3. Heard Mr.R.Ezhilarasan, learned counsel for petitioner and



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Mr.V.Rajinikanth, learned Standing Counsel, appearing for respondents.

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4. The grievance of the petitioner is that as per G.O.Ms.No.210, dated 11.03.1987, since the petitioner has reached the pay scale of original grade of Executive post on 10.07.2011 itself, the petitioner is seeking for promotions and attendant benefits based on the same. Hence, various representations were given to the respondents and since the same did not evoke any response, the present writ petition has been filed seeking for appropriate directions.

5. Taking into consideration the limited relief sought for in this writ petition and without going into the merits of the case, there shall be a direction to the respondents to deal with the representation made by the petitioner on 01.12.2022 and take a decision within a period of eight (8) weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the respondents along with all relevant records and also a copy of this order.

N.ANAND VENKATESH, J



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gm

Accordingly, this Writ Petition is disposed of with the above direction. No costs.

09.02.2023

Index : Yes/No
Speaking order: Yes/No
Neutral citation: Yes/No
gm

To

1. The Commissioner,
Milk Production and Dairy Development,
Aavin Illam, Nandanam,
Chennai - 600 035.
2. The General Manager,
Erode District Milk Producers Union Ltd.,
Aavin, Vasavi College Post - 638 316.
Erode District.

Writ Petition No. 3497 of 2023