



WEB COPY



W.P.No.3305 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.3305 of 2022

G.Suguna Banu

... 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 – 9.

3.The Principal,
Valivalam Desikar Polytechnic College,
Nagapattinam.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the 1st respondent to pass orders promoting the petitioner to the post of Superintendent with effect from 1/10/2009 and fixing the pay scale to the petitioner in the post of Assistant from 1/10/2003 with all attendant and monetary benefits as sought vide representation dated 12/1/22.

For Petitioner :

Mr.N.A.Nassir Hussain

For Respondents :

Mr.S.Prabhakaran,

Government Advocate-R1 & R2

Mr.I.Kowser Nissar-R3



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ORDER

This Writ Petition has been filed to direct the 1st respondent to pass order promoting the petitioner to the post of Superintendent with effect from 01.10.2009 and fixing the pay scale in the post of Assistant from 01.10.2003 with all attendant and monetary benefits as sought *vide* representation, dated 12.01.2022.

2.The contention of the learned counsel for the petitioner is that the petitioner was appointed as Junior Assistant in the 3rd respondent Polytechnic college on compassionate ground in the year 1989. Though the petitioner was fully qualified to the post of Assistant, she was not given promotion until 19.02.2016. The post of Assistant was lying vacant since 01.10.2003 and the next promotional post of Superintendent was also lying vacant since 01.10.2009, however, she was granted promotion to the post of Assistant only 19.02.2016. Now, the grievance of the petitioner is that if the petitioner had been promoted to the post of Assistant during the year 2003 itself, she would have been promoted to the post of Superintendent on completion of five years by 01.10.2009. In this regard, the petitioner has given representation, dated 12.01.2022 to the respondents to promote the petitioner to the post of Superintendent with effect from 01.10.2009 and fix



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the pay scale in the post of Assistant from 01.10.2003 with all attendant and monetary benefits, however no order has been passed till date.

3.The learned Government Advocate appearing for the respondents 1 and 2 submitted that appropriate orders will be passed on the representation of the petitioner, dated 12.01.2022 within a short period.

4.Considering the limited prayer sought for in this Writ Petition, there shall be a direction to the 1st respondent to consider the representation of the petitioner, dated 12.01.2022 and pass orders on merits and in accordance with law, within a period of two months, from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition is disposed of. No costs.

19.09.2023

Index : Yes/No
Internet: Yes/No
Neutral Citation: Yes/No
Speaking Order/Non-Speaking Order
vv2

N.SATHISH KUMAR, J.



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vv2

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