



W.P. No. 10391 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.04.2023

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 10391 of 2023

M.Manikandan

... Petitioner

-VS-

1. State rep. by its
Principal Secretary to Government,
Handloom, Handicrafts, Textiles & Khadi Department,
Secretariat,
Fort. St.George,
Chennai – 600009.
2. The Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam,
Chennai – 600108.
3. The Assistant Director,
Tamil Nadu Khadi and Village Industries Board,
Kuralagam,
Chennai – 600108.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India, 1950, praying to issue a Writ of Mandamus, directing the Respondents to consider the representation of the Petitioner dated 04.11.2022, 11.11.2022, 16.11.2022 and 17.03.2023 and direct the Respondents to include the Petitioner's name in the list of promotion panel to the post of Assistant Director who fulfilled all the requirements as per the Government Order in G.O. (Ms) No. 1120, Employee and Administrative Reforms Department, dated



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30.10.1984 Director and also based on the recommendation made in favour of the Petitioner by the Third Respondent in Lr. No. 637/2022/A dated 04.11.2022.

For Petitioner : Mr. V.Elangovan
For Respondents : Mrs. R.Anitha
Special Government Pleader (for R1)
Mr. S.K.Bose (for R2 & R3)

ORDER

Heard Mr. V.Elangovan, Learned Counsel for the Petitioner, Mrs. R.Anitha, Learned Special Government Pleader takes notice for the First Respondent and Mr. S.K.Bose, Learned Counsel takes notice for the Second and Third Respondents and perused the materials placed on record, apart from the pleadings of the parties.

2. The grievance ventilated by the Petitioner is that he had made a representations dated 04.11.2021, 11.11.2022, 16.11.2022 and 17.03.2023 to include his name in the list of promotion panel to the post of Assistant Director as per G.O. (Ms) No. 1120, Employee and Administrative Reforms Department, dated 30.10.1984 issued by the Government of Tamil Nadu and also based on



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the recommendation made by the Third Respondent in Lr. No. 637/2022/A dated 04.11.2022 in his favour, but as it did not evoke any response, he has filed this Writ Petition.

3. Having regard to the limited scope of the relief sought in the Writ Petition, this Court without expressing any view on the merits of controversy involved, passes the following order:-

- (i) the concerned authority shall immediately examine the representations dated 04.11.2022, 11.11.2022, 16.11.2022 and 17.03.2023 made by the Petitioner including ascertaining as to whether the Petitioner would be entitled for the relief claimed;
- (ii) if it is found that any other details or supporting documents is necessary, the deficiencies in that regard shall be informed in writing to the Petitioner requiring the same to be furnished within a time frame of not less than 15 days for the same;
- (iii) in the event of not being satisfied with the requirements even thereafter, an enquiry shall be conducted affording full opportunity of personal hearing to the Petitioner and all other persons concerned to explain their position in that regard;



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(iv) a reasoned order shall be passed dealing with each of the contentions

raised on merits and in accordance with law and the decision taken

communicated by 31.08.2023 under written acknowledgment; and

(vi) the report of such compliance shall be filed before the Registrar

(Judicial) of this Court.

In the result, the Writ Petition is disposed on the aforesaid terms.

No costs.

03.04.2023

kv

Index: Yes/No

Neutral Citation: Yes/No

Note: Issue order copy by 05.06.2023.

To

1. The Principal Secretary to Government,
Handloom, Handicrafts, Textiles & Khadi Department,
Secretariat,
Fort. St.George,
Chennai – 600009.
2. The Chief Executive Officer,
Tamil Nadu Khadi and Village Industries Board,
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The Registrar (Judicial),
Madras High Court,
Chennai – 600 104.



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P.D. AUDIKESAVALU, J.

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