



WEB COPY



W.P.No.20661 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.08.2023

CORAM

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

W.P.No.20661 of 2023

A.Harikumar,
Clerk,
Subramania Siva Co-operative,
Sugar Mills Limited,
Gopalapuram – 636 904.

... Petitioner

Versus

1.The Principal Secretary,
Commissioner of Sugar Department,
“Avavin Illam”, Second Floort,
3-A, Pasumpon Muthuramalinganar Salai,
Nandanam, Chennai – 600 035.

2.The Managing Director,
Subramania Siva Co-operative Sugar Mills Limited,
Gopalapuram,
Dharmapuri District – 636904.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus or any other appropriate Writ of Direction, in the nature of a writ, directing the second respondent – Management to promote him as a Clerk Gr.II in their Establishment within a stipulated time.

For Petitioner	:	Mr.D.Sivashanmugam
For R1	:	Mr.P.Baladhandayutham, Special Government Pleader
For R2	:	Mr.T.Sampath Kumar, Government Advocate



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ORDER

This Writ Petition has been filed to direct the 2nd respondent to promote the petitioner as Clerk Grade-II in their Establishment within a stipulated time.

2.The contention of the Writ Petitioner is that the petitioner has joined in the office of the 2nd respondent in the year 1992 as Clerk (Grade-IV) Seasonal Employee and thereafter, he was promoted to the post of Clerk (Grade-III) in the year 1997. For the past 26 years, the petitioner has been working in the same post and he was not promoted despite three posts vacant in Clerk (Grade-II). The grievance of the petitioner is that despite the petitioner is eligible and fully qualified for promotion, his name is not found place in the provisional seniority list published. In this regard, a representation was given by the petitioner on 16.06.2023, however, the same has not been considered.

3.The learned Government Advocate appearing for the 2nd respondent submitted that appropriate orders will be passed on merits on the representation of the petitioner, dated 16.06.2023.



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4.Considering the limited relief sought for in this Writ Petition, there shall be direction to the respondents to consider the representation of the petitioner, dated 16.06.2023 and take a decision on merits and in accordance with law, within a period of three months, from the date of receipt of a copy of this order.

5.With the above direction, this Writ Petition stands disposed of.

No costs.

29.08.2023

Index : Yes/No

Internet: Yes/No

Neutral Citation: Yes/No

Speaking Order/Non-Speaking Order

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To

1.The Principal Secretary,
Commissioner of Sugar Department,
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