



W.P.No.3072 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 26.02.2024

CORAM

THE HON'BLE MR. JUSTICE D.BHARATHA CHAKRAVARTHY

W.P.No.3072 of 2012

G.Kandeepan

... Petitioner

Vs.

1.The Regional Manager
Tamil Nadu Civil Supplies Corporation
Kancheepuram
Kancheepuram District.

2.A.Rasheetha Begam

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus to call for the records relating to the impugned order of the first respondent in Rc.No.E1/5805/2011 dated 14.11.2011 and set aside the same in so far as the non inclusion of the petitioner in the panel is concerned and direct the first respondent to include the petitioner's name in the panel of Assistants for the year 2011 above the second respondent and grant him all consequential benefits including promotion on par with the second respondent with monetary benefits.



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For Petitioner : Mr.P.Manoj Kumar

For Respondents : Mr.D.Selvaraj for R1

ORDER

The petitioner challenges the order dated 14.11.2011 passed by the 1st respondent. By the said order, citing the currency of punishment of Censure, the petitioner's name was not included in the panel for promotion to the post of Assistant for the year 2011. Even though the Full Bench of this Court in the matter of ***DIG of Police, Thanjavur Range, Thanjavur and anr., Vs. V.Rani¹*** had held that the currency of Censure cannot be a ground for withholding the name of the employee from the panel, subsequently, the rule position was amended retrospectively, so as to hold the currency of punishment of Censure will also be a ground. When the said rule has come into force with retrospective effect, covering the said period also, now, the claim of the petitioner is not sustainable.

¹ 2011 (3) CTC 129



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2. Accordingly, finding no merits in the Writ Petition, the same stands dismissed. No costs.

26.02.2024

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Index: Yes/No
Speaking Order: Yes/No
Neutral Citation: Yes/No

To
The Regional Manager
Tamil Nadu Civil Supplies Corporation
Kancheepuram
Kancheepuram District.



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D.BHARATHA CHAKRAVARTHY, J.,

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