



W.P.No.34343 of 2012

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.03.2024

CORAM:

THE HONOURABLE MR. JUSTICE J.SATHYA NARAYANA PRASAD

W.P.No.34343 of 2012

P. Sankaran

...Petitioner

-Vs-

1. The Promotional Committee (Scale -IV to Scale V),
National Insurance Company Limited,
Head Office, Personal Department,
No. 3, Middleton Street, Kolkata – 700 071.
2. The General Manager (Personnel) &
Promoting Authority,
National Insurance Company Limited,
Head Office, No. 3, Middleton Street,
Kolkata – 700 071.
3. The Central Vigilance Commissioner,
Central Vigilance Commission,
Government of India,
New Delhi – 110 023.

...Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying for the issuance of a direction in the nature of Writ of Certiorarified Mandamus, calling for the records pertaining to the promotional panel bearing No. PERS:MPL DEPTT.F002/HO/2012 dated 19th October, 2012 of the second respondent and quash the same in so far as non inclusion of the petitioner name in the promotional panel for the cadre of Chief Manager



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(Scale-V) for the year 2012-13 and consequently direct the second respondent to consider the petitioner also for promotion to the cadre of Chief Manager (Scale-V) for the year 2012-13 by inclusion of the petitioner's name in the Promotional Panel dated 19.10.2012 and grant all consequential benefits.

For Petitioner : Mr. R. Ramesh

For R1 & R2 : Mr. S. Shushaanth

For R3 : No appearance

ORDER

This writ petition is filed seeking for Certiorarified Mandamus, to quash the proceeding in promotional panel bearing No. PERS:MPL DEPTT.F002/HO/2012, dated 19th October, 2012 of the second respondent and in so far as non inclusion of the petitioner name in the promotional panel for the cadre of Chief Manager (Scale-V) for the year 2012-13 and to direct the second respondent to consider the petitioner for promotion to the cadre of Chief Manager (Scale-V) for the year 2012-13 by inclusion of the petitioner's name in the Promotional Panel dated 19.10.2012 and grant all consequential benefits.

2. The learned counsel for the petitioner and learned counsel for the first and second respondents are present. There is no representation on behalf



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of third respondent.

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3. The learned counsel appearing for the first and second respondents submitted that the Writ Petition No. 12814 of 2015 is filed for writ of Mandamus, directing the first respondent to consider the petitioner's representation dated 10.03.2015 for promotion to the post of Scale-V along with fixing of pay scale appropriately with effect from the date of eligibility.

4. This Court by an order dated 29.09.2023 in W.P.No. 12814 of 2015 passed the following order:

“2. While pending this Writ Petition, the petitioner was promoted to the post of Scale V and posted him in Cochin, Kerala. Therefore, the petitioner sought for transfer to Tamil Nadu. Though he was transferred to Tamil Nadu, but his promotion was cancelled. Subsequent to that the petitioner had also made several representations to the respondents and it is pending seeking promotion.

3. Considering the limited relief sought for in the petition, without expressing any opinion on the merits of the writ petition, the first respondent is directed to consider the subsequent representation submitted by the petitioner and pass orders on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order.”

5. In view of the above submission made by the learned counsel



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appearing for first and second respondents, nothing survives in this writ petition for further adjudication. Accordingly, this writ petition is dismissed as infructuous. No costs.

13.03.2024

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Index: Yes/No

Speaking Order : Yes/No

Neutral Citation Case : Yes/No

To

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J.SATHYA NARAYANA PRASAD, J.

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