



WEB COPY



W.P.No.13081 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.05.2024

CORAM :

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA

Writ Petition No. 13081 of 2024

B. Vijaya Kumar
Office superintendent, ESI Dispensary - I
No.95, Perambur High Road,
Jamaliya, Perambur,
Chennai - 600 012.

.. Petitioner

Versus

1. The Principal Health Secretary to Government
Health and Family Welfare Department,
Fort St. George, Chennai - 600 009.
2. The Director of Medical Education and Research,
Kilapuk, Chennai - 600 010.
3. The Director of Drugs Control,
Tamilnadu, DMS Campus,
Teynampet, Chennai - 600 006.
4. The Assistant Director of Drugs Control,
Zone - 1, Teynampet, DMS Building (5th Floor),
Chennai - 600 006.
5. The Director of Medical and Rural Health Services (ESI)
No.23, Medavakkam Tank Road,
(ESI Hospital Campus) Ayanavaram,
Chennai - 600 023.



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6. The Regional Administrative Medical Officer (ESI)
No.22, Perambur High Road,
Mettupalaym, Perambur,
Chennai - 600 012.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the second respondent herein to consider the representation of the petitioner dated 26.12.2023 as recommended by the sixth respondent herein vide proceedings Ref.No.3368/E2/2020 dated : 09.01.2024 and include the name of the petitioner in the Seniority list published by the Second Respondent in its proceedings dated : 18.10.2023 for promotion to the post of Librarian Grade I by taking into consideration the fact that the petitioner's Juniors have been included in the Seniority list and the petitioner has been excluded and accordingly promote the petitioner to the post of Librarian Grade I with all consequential service and monetary benefits.

For Petitioner : M/s. S.Suneetha
For Respondents : Mr.K.Tippu Sulthan
Government Advocate

ORDER

The prayer made in this writ petition is to issue a Writ of Mandamus, directing the 2nd respondent to consider the representation of the petitioner dated 26.12.2023 as recommended by the sixth respondent vide proceedings Ref.No.3368/E2/2020 dated 09.01.2024 and to include the name of the petitioner in the Seniority list published by the Second Respondent in its proceedings dated : 18.10.2023 for promotion to the post of Librarian Grade I.



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2. Mr.Tippu Sulthan, learned Government Advocate takes notice for the Respondents 1 to 6.

3. By consent of both sides, this Writ Petition is taken up and disposed of at the stage of admission itself.

4. The grievance of the petitioner is that the Petitioner has submitted a representation dated 26.12.2023 to the 2nd Respondent seeking to include his name in the Seniority list published by the 2nd Respondent, in its proceedings dated 18.10.2023 for promotion to the post of Librarian Grade I. As the same did not evoke any response, the peitioner is before this court with the present writ petition for the aforesaid relief.

5. The learned counsel for the petitioner submitted that it would suffice, if a direction is issued to the respondents to consider the petitioner's representation dated 26.12.2023, on merits and in accordance with law, within a time frame to be stipulated by this court, for which, the learned Government Advocate who accepted for the Respondents has no serious objection.



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6. Considering the limited nature of the relief sought for by the petitioner, without expressing any opinion on the merits of the case, there shall be a direction to the 2nd Respondent to consider the petitioner's representation dated 26.12.2023 and pass appropriate orders, on merits and in accordance with law, after affording an opportunity of personal hearing to the petitioner, within a period of three weeks from the date of receipt of a copy of this order.

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

No costs.

08.05.2024

Index : Yes / No

Internet : Yes / No

av/arr

Note: Issue order copy on 13.05.2024



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A.D.JAGADISH CHANDIRA , J.

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