



WEB COPY



Writ Petition No.21636 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2024

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

Writ Petition No.21636 of 2024

and

W.M.P.No.23618 of 2024

R.Velmourougan
S/o.Radjacannou @ Mouttayan

... Petitioner

Vs.

- 1.The Secretary to Government
for Local Administration,
Chief Secretariat,
Puducherry - 605 001.
- 2.The Director,
Local Administration Department,
Puducherry - 605 001.
- 3.The Commissioner,
Pondicherry Municipality,
Puducherry.
- 4.P.Minatchy, Junior Engineer (Civil),
Pondicherry Municipality,
Puducherry.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India seeking issuance of a Writ of Mandamus directing the third respondent to consider and promote the petitioner to the post of Junior Engineer (Mechanical) with effect from the date on which the fourth



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respondent is promoted by way of 'shown against' procedure with all other consequential benefits including seniority.

For Petitioner : Mr.V.Ajayakumar

For Respondents : Mr.R.Sreedhar
Additional Government Pleader [Pondy]

ORDER

This writ petition has been filed seeking issuance of a writ of mandamus directing the third respondent to consider the representation of the petitioner wherein the petitioner is seeking for promotion to the post of Junior Engineer (Mechanical) with effect from the date on which the fourth respondent was promoted with all consequential benefits.

2. Heard Mr.V.Ajayakumar, learned counsel for petitioner and Mr.R.Sreedhar, learned Additional Government Pleader [Pondy], appearing for respondents.

3. The case of the petitioner is that he is working as a Senior Mechanic in the third respondent municipality. The petitioner joined the services as Mechanic Fitter in the year 1996 and subsequently, the petitioner passed Diploma in Mechanical Engineering. There was only one promotion that was given to the petitioner by virtue of which he



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became a Senior Mechanic. According to the petitioner, there is no other avenue for promotion. At this juncture, the petitioner is relying upon the recruitment rules and according to the petitioner, the petitioner can be considered for further promotion based on the qualification that was acquired by him under the category 'shown against'. The representation made by the petitioner in this regard did not evoke any response and hence, the petitioner has approached this Court seeking for appropriate directions.

4. Taking into consideration the grounds raised by the petitioner and considering the facts and circumstances of the case, there shall be a direction to the third respondent to consider the representations of the petitioner dated 04.03.2021 and 15.03.2022 and deal with the same on its own merits and in accordance with law and in line with the relevant rules and take a decision within a period of eight (8) weeks from the date of receipt of a copy of this order. While undertaking this exercise, the third respondent shall put the fourth respondent on notice and hear the fourth respondent also.

N.ANAND VENKATESH, J

gm



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5. The petitioner is directed to submit a fresh representation to the third respondent along with all relevant documents and also a copy of this order.

This writ petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is closed.

05.08.2024

Neutral Citation: Yes/No

Index: yes/no

Speaking Order/Non-Speaking Order
gm

To

1.The Secretary to Government
for Local Administration,
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2.The Director,
Local Administration Department,
Puducherry - 605 001.

3.The Commissioner,
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4.P.Minatchy, Junior Engineer (Civil),
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