



W.P.(MD)No.17971 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 31.07.2024

CORAM:

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD)No.17971 of 2024

Silas S.Lovely Tom

... Petitioner

vs.

1.The Principal Secretary to Government,
Labour Welfare and Skill Development Department,
Secretariat,
Chennai - 600 009.

2.The Commissioner,
Commissionerate of Employment and Training,
Thiru.Vi.Ka.Industrial Estate,
Guindy,
Chennai - 600 032.

3.The Assistant Director,
District Skill Training Centre,
Government Industrial Training Institute Campus,
Konam,
Nagercoil,
Kanyakumari District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to promote and post the petitioner as Principal in the existing vacancy at



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Government ITI, Ambasamuthiram, Tirunelveli District with all attendant benefits from 21.07.2023 on wards based on the representations of the petitioner dated 27.01.2024 and 16.03.2024.

For Petitioner : Mr.M.Francis Xavier
For Respondents : Mr.J.Ashok
Additional Government Pleader

ORDER

Heard Mr.M.Francis Xavier, learned counsel appearing for the petitioner and Mr.J.Ashok, learned Additional Government Pleader appearing for the respondents.

2. The petitioner has filed this petition seeking to direct the respondents to promote him to the post of Principal in the existing vacancy at Government ITI, Ambasamuthiram, Tirunelveli District with all attendant and consequential benefits.

3. Earlier when the promotion panel was prepared in the year 2023, the petitioner's name has not been included in view of the pending



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criminal proceedings in C.C.No.141 of 2022 on the file of the Judicial Magistrate No.III, Nagercoil.

4. Now, it is learnt that the case has been disposed on 30.12.2023 and the petitioner got acquitted. In view of the same, the petitioner has given representations to the second respondent on 27.01.2024 and 16.03.2024 seeking promotion. However, the same has not yet been considered.

5. Since the representations of the petitioner has not yet been considered, I feel it is appropriate to direct the second respondent to consider the same in the light of the latest development in the criminal case, within a specified time frame.

6. In view of the above observations, the writ petition is **disposed of** and the second respondent is directed to consider the representations of the petitioner dated 27.01.2024 and 16.03.2024 in the light of the fact that the petitioner has been acquitted in the criminal case



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and pass orders on merits and in accordance with law within a period of three weeks from the date of receipt of a copy of this order. No costs.

31.07.2024

NCC: Yes/No

Index : Yes/No

Speaking/Non-Speaking order

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R.N.MANJULA, J.

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