



W.P.(MD).No.18362 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.08.2024

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THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.(MD).No.18362 of 2024
and WMP(MD) No.15635 of 2024

M.Ariramachandran

... Petitioner

Vs

1. The Additional Secretary / Transport Commissioner,
Chepauk, Chennai - 600 005.

2. The Joint Transport Commissioner,
O/o.The Joint Transport Commissioner,
Madurai Zone, Madurai.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, direct the 1st respondent to promote the petitioner as Superintendent by including the name of the petitioner in the panel of Fully qualified Superintendent fit for promotion to the post of Motor Vehicle Inspector (Non-Technical) for the year 2019-2020 issued by the 1st respondent vide R.No.10889/RA1/2019, dated 26.05.2020 on par with the petitioner's immediate junior along with all other service and monetary benefits within the time stipulated by this Court.

For Petitioner : Mr.Ajmal Khan – Senior Counsel
for M/s.Ajmal Associates

For Respondents : Mr.J.Ashok
Additional Government Pleader



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ORDER

Heard Mr.Ajmal Khan, learned Senior Counsel for the petitioner and Mr.J.Ashok, learned Additional Government Pleader, for the respondents.

2.The petitioner, who has been working as a Superintendent, has filed this petition seeking mandamus to promote the petitioner to the next level post of Motor Vehicle Inspector (Non-Technical).

3. By consent of both parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

4. The learned counsel for the petitioner submitted that the petitioner's name has been included in the promotion panel 2018-19, for which, the crucial date is 15.03.2019. The petitioner has been arrayed under S.No.30. The petitioner continued to be in the list of promotion panel in the subsequent years as well. However, the petitioner was not given with any promotion on 21.06.2020. It is learnt that the petitioner has been given with a charge memo, dated 03.06.2020 and that is the reason why the name of the petitioner has not been considered, despite, he has been listed in the promotion panel.



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5.The contention of the learned counsel for the petitioner is that even for the promotion panel for the year 2018-19, the crucial date is 15.03.2019 and charge memo is given on 03.06.2020 and hence, the petitioner's promotion should not have been hampered. In fact, the petitioner has secured the place in the promotion panel in the earlier year itself. In view of the crucial date for the panel year 2018-19, ie., 15.03.2019 from which date the petitioner has not been given with any charge.

6.In view of the same, this writ petition stands disposed of by giving a direction to the respondents to consider the representation of the petitioner and pass appropriate orders within a period of four weeks from the date of receipt of copy of this order, in the light of the above observations. No costs. Consequently, connected miscellaneous petition is closed.

02.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes
PNM



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To

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R.N.MANJULA, J.

PNM

**ORDER IN
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and WMP(MD) No.15635 of 2024**

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