



WEB COPY



W.P. No. 6410 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.01.2025

CORAM

THE HONOURABLE MR.JUSTICE BATTU DEVANAND

W.P. No. 6410 of 2018

M. Edward Raj

... Petitioner

Vs.

**1.Chairman-cum-Managing Director,
Neyveli Lignite Corporation Ltd.,
Corporate Office, Block – 1,
Neyveli – 607 801.**

**2.General Manager (HR),
Neyveli Lignite Corporation Ltd.,
Corporate Office, Block – 1,
Neyveli – 607 801.**

**3.Chief Manager,
Personnel and Administrative Department,
Central Workshop & Service,
Neyveli Lignite Corporation Ltd.,
Corporate Office, Block – 1,
Neyveli – 607 801.**

**4.Deputy General Manager,
Personnel and Administrative Department,
Central Workshop & Service,
Neyveli Lignite Corporation Ltd.,
Corporate Office, Block – 1,
Neyveli – 607 801.**

... Respondents



Writ petition is filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the second respondent to pass orders on the petitioner's representation dated 02.08.2017 by granting Time Bound Promotion to the petitioner from JAO (WS) to Assistant Administrative Officer/Assistant Personnel Officer (APO-SG2) w.e.f. 2010 and other subsequent promotion as Assistant Executive Manager / Administrative Officer (AEM) (one year training period included) – (E2 – Grade) w.e.f. 2015 and consequentially grant all monetary benefits and back wages and refix the petitioner's pay scale within a time frame as may be stipulated by this Court.

For Petitioner : Mr. G.V. Shoba
For Respondents : Mr. N. Nithianandam

ORDER

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondents and perused the materials available on record.

2. Learned counsel for the petitioner would submit that, as per the Time Bound Promotion Scheme, a person who has served for the qualifying years in one grade should travel to the next / higher grade in the category. The petitioner was due for promotion to the grade of APO (SG2) in the year 2010. However, due to the reason that the petitioner was suspended from service at that relevant point of time, he was not considered for the promotion. Later, all charges were dropped. As such, the petitioner is eligible for promotion as APO (SG2) with effect from 2010 and for other subsequent promotion as per the Time Bound Promotion Scheme. Accordingly,



the petitioner submits a representation dated 02.08.2017 to the respondents, requesting to consider him for time bound promotions. But no orders passed by the respondents on the said representation. Aggrieved by the action of the respondents in not passing the orders on the representation dated 02.08.2017 submitted by the petitioner, the present writ petition is filed.

3. Learned Standing Counsel for the respondents submits that the petitioner already retired from service on attaining superannuation and all retirement benefits are paid to him and as such, no further adjudication is required in this writ petition.

4. Having considered the submissions of the respective counsel, in view of the fact that the main relief sought in this writ petition is with regard to pass orders on the petitioner's representation dated 02.08.2017 by the second respondent only, in our considered view, it is appropriate to dispose of this writ petition without going into the merits of the case, with a direction to the second respondent to consider and pass orders on the representation dated 02.08.2017 submitted by the petitioner to meet the ends of justice.

5. Accordingly this Writ Petition is disposed of with a direction to the second respondent to pass orders on the petitioner's representation dated 02.08.2017 in



W.P. No. 6410 of 2015

accordance with law, within a period of eighth weeks from the date of receipt of copy of this order.

6. There shall be no order as to costs.

20.01.2025

Index :Yes/No

Neutral Citation :Yes/No

AT

To

- 1.The Chairman-cum-Managing Director,
Neyveli Lignite Corporation Ltd.,
Corporate Office, Block – 1,
Neyveli – 607 801.
- 2.The General Manager (HR),
Neyveli Lignite Corporation Ltd.,
Corporate Office, Block – 1,
Neyveli – 607 801.
- 3.The Chief Manager,
Personnel and Administrative Department,
Central Workshop & Service,
Neyveli Lignite Corporation Ltd.,
Corporate Office, Block – 1, Neyveli – 607 801.
- 4.The Deputy General Manager,
Personnel and Administrative Department,
Central Workshop & Service,
Neyveli Lignite Corporation Ltd.,
Corporate Office, Block – 1, Neyveli – 607 801.



WEB COPY



W.P. No. 6410 of 2018

BATTU DEVANAND, J.

AT

W.P. No. 6410 of 2018

20.01.2025