



W.P.No.18234 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.02.2025

CORAM

THE HONOURABLE MS.JUSTICE R.N.MANJULA

W.P.No.18234 of 2018

P.Ravichandran

... Petitioner

Vs.

1.The Managing Director,
Tamil Nadu Tea Plantation Corporation Ltd.,
Orange Grove Road,
Coonoor, Nilgiris - 643 101.

2.The Divisional Manager,
Coonoor Tea Division,
TANTE Complex,
Orange Grove Road,
Coonoor. Nilgiris - 643 101.

3.The Divisional Manager,
Kothagiri Tea Division,
Kothagiri,
Nilgiris - 643 217.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, to direct the respondents to promote the petitioner to the post of Draughting Officer from the post of Junior Draughting Officer with effect from 18.12.2008 on par with the juniors of the petitioner.



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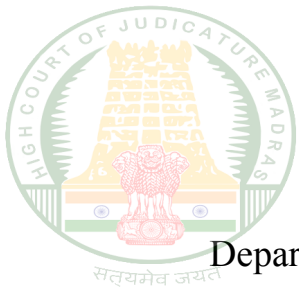
For Petitioner : Mr.G.Pugazhenth
For Respondents : Mr.Adarsh Levin.W for
M/s.T.S.Gopalan & Co for R1
Mrs.S.Anitha, SGP for R2 & R3

ORDER

This Writ Petition has been filed to direct the respondents to promote the petitioner to the post of Draughting Officer from the post of Junior Draughting Officer with effect from 18.12.2008 on par with the juniors of the petitioner.

2. Heard Mr.G.Pugazhenth, learned counsel for the petitioner, Mr.Adarsh Levin.W, learned counsel for R1 and Mrs.S.Anitha, learned Special Government Pleader for R2 & R3 and perused the materials available on record.

3. The petitioner has entered into the service as Draughtsman Grade III by an order dated 18.04.1986 issued by the third respondent



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Department and he completed the period of probation and his services were regularized by an order dated 21.04.1988. Now, he is working as Draughtsman Grade III (Special Grade). The petitioner was not given with promotion to the post of Draughting Officer for more than 20 years. The persons similarly placed like the petitioner have already been included in the promotion panel and they were given with promotion to the post of Draughtsman Grade II (Draughting Officer).

4. The petitioner was issued with the charge memo on 06.10.2008 on certain allegations. After the conclusion of the enquiry, the charges against the petitioner were proved and punishment was given for stoppage of increment for one year without cumulative effect by an order dated 28.04.2009 by the Divisional Manager. The petitioner preferred an appeal on 01.07.2009 to the General Manager and on hearing the appeal, the General Manager allowed the appeal by setting aside the punishment imposed on the petitioner by an order dated 27.09.2010 and thereafter, the petitioner gave several representations to consider him for promotion to the post of Draughting Officer with retrospective effect.



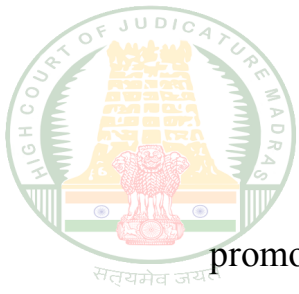
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5. Even in the meeting of the Board of Directors of TANTEA held on 25.09.2013, it was resolved to approve the proposal to upgrade one post of junior Draughting Officer as Draughting Officer to accommodate the petitioner in the promotional post of Draughting Officer subject to the approval of the Government.

6. The learned Standing Counsel for the first respondent submitted that a proposal has been sent seeking approval of promotion for the petitioner to the post of Draughting Officer to the Additional Chief Secretary to Government on 02.10.2013. Thereafter, by communication dated 18.06.2016, the first respondent had reverted the earlier promotion given to the candidates by name L.L.S.Manikghantan, M.Ingersal and J.Raji.

7. Whatever may be case, the petitioner's representation has not yet been considered by the respondents so far. As the petitioner's punishment has already been set aside and he is qualified to get his next level



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promotion, the first respondent has to take a call on the representation of the petitioner and pass appropriate orders. It is learnt that the petitioner has retired from service as on 31.05.2024.

8. Hence, this Writ Petition is disposed and the first respondent is directed to consider the representation of the petitioner dated 05.04.2018 and pass appropriate orders granting promotion to the petitioner with notional effect on and from the date when he became eligible to be promoted to the post of Draughting Officer and revise his pension accordingly by giving him the service benefits, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Index : Yes /No
Speaking / Non-speaking
Neutral Citation : Yes / No
gsk

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To



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R.N.MANJULA, J.

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