



W.P.No.30387 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.08.2025

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THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No.30387 of 2025

T.Arirama Kalanjiam

... Petitioner

Vs

- 1.Tamil Nadu Civil Supplies Corporation
Rep by its Chairman and Managing Director
No.25, Thambusamy Road, Kilpauk
Chennai – 600 010.
- 2.The General Manager (Administration)
Tamil Nadu Civil Supplies Corporation
No.25, Thambusamy Road
Kilpauk, Chennai – 600 010.
- 3.The Commissioner
Welfare of the Differently Abled Association
No.5, Kamarajar Salai
Lady Wellington College Campus
Chennai – 600 005.
- 4.The Regional Manager
Tamil Nadu Civil Supplies Corporation
No.62 & 63, Harihara Vinayagar Temple Street
Tenkasi District – 627 811.

... Respondents



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Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the petitioner's representation dated 06.03.2025 to give promotion to the post of Assistant with effect from the year 2017 in the light of the order dated 04.04.2019 made in W.P.No.9827 of 2011 and conforming the order dated 26.07.2021 in W.A.No.792 of 20221 with all consequential benefits and arrears.

For Petitioner : Ms.S.Esairani Narasimman

For Respondents : Mr.C.Selvaraj
Standing Counsel for R1 to R4

ORDER

The writ petition has been filed seeking a mandamus to the respondents to consider representation of the petitioner dated 06.03.2025, and to promote him to the post of Assistant and to pay him the promotional benefits and arrears with effect from the year 2017 in the light of the orders of this Court in W.P.No.9827 of 2011 and W.A.No.792 of 2021.

2. The case of the petitioner is that he is a Differently Abled Person with 60% disability. He was appointed as Watchman in the Corporation Retail Shop



Adaikalapattinam on 30.03.1990, and thereafter, he was promoted to the post of Junior Assistant on 24.06.2014, and he continued in the said post for more than 35 years. His next avenue of promotion is to the post of Assistant. As per the Employees Service Regularization 1989, the qualification prescribed for promotion to the post of Assistant was that, the one who seeks promotion to the post of Assistant, should have served in the post of Junior Assistant for three years. According to the petitioner, he had completed his three years of service as Junior Assistant as early as on 25.06.2017 and since then, he came within the zone of consideration for the post of Assistant. Therefore, the petitioner had submitted his detailed representation to the respondents on 30.11.2017, seeking promotion to the post of Assistant and the same was not considered.

3. It was brought to the notice of the Court that a similarly aggrieved person had approached this Court in W.P.No.9827 of 2011, and had obtained favourable orders of this Court. The respondent-Corporation though had preferred an appeal in W.A.No.792 of 2021, challenging the orders of this Court in W.P.No.9827 of 2011, later complied with the orders in W.P.No.9827 of 2011, in and by which, the claim of the workman therein was given effect to.



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4. Therefore, the petitioner herein who seeks a similar relief, had submitted yet another representation to the respondents on 25.02.2022, quoting the orders of this Court, cited supra. The petitioner would also submit that the respondents have not considered his request / representation, may be on the ground that he had not cleared his Commercial Book Keeping Test, to which, he has drawn reference to G.O.Ms.No.11 (Welfare of the Differently Abled Persons Department (WDP-3.1) dated 13.08.2024, wherein the persons with disability are exempted from passing the Commercial Book Keeping Test. He had also submitted that his juniors have been promoted to the post of Assistant in the year 2017 overlooking his seniority.

5. Citing the above details, the petitioner had submitted a representation to the respondents even on 06.03.2025. Since the respondents have not taken any action on it, the petitioner is before this Court.

6. Heard the learned counsel for the petitioner and the learned Standing Counsel appearing for the respondents.



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7. A perusal of the records would show that the claim of the petitioner was addressed to the Managing Director of the Tamil Nadu Civil Supplies Corporation, Chennai by the third respondent vide his proceedings dated 23.06.2025, to take necessary action on his request, and thereafter, the respondents appeared to have remained silent.

8. Considering the facts and circumstances of the case and also that the fact that this Court on an earlier occasion, had considered a similar claim and passed favourable orders, the writ petition is allowed and a mandamus is issued to the respondents to consider the representation of the petitioner dated 06.03.2025, and pass speaking orders in the manner known to law, within a period of three months from the date of receipt of a copy of this order, taking into consideration the favourable orders passed in respect of a similarly placed person. No costs.

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Index : Yes / No

Neutral Citation : Yes / No

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