

A. Palanikumar and Others Vs. The State of Tamil Nadu, Rep. by its Secretary, Municipal Administration and Water Supply Department, Fort St.George, Chennai and Others

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Court : Chennai Madurai

Decided On : Sep-22-2016

Judge : The Honourable Dr.(Mrs.) Justice S. Vimala

Appeal No. : W.P(MD) No. 18186 of 2016

Appellant : A. Palanikumar and Others

Respondent : The State of Tamil Nadu, Rep. by its Secretary, Municipal Administration and Water Supply Department, Fort St.George, Chennai and Others

Judgement :

(Prayer: Writ Petition filed under Article 226 of the Constitution of India for the issuance of Writ of Mandamus, directing the respondents 1 and 2 to take appropriate action on the proposal of the 3rd respondent dated 26.04.2011 and 21.04.2016 relating to the promotion of the petitioners to the higher post either by bringing the petitioners under the purview of the existing service rules or by framing appropriate service rules so as to enable the petitioners to get promotion to the higher post.)

1. This petition has been filed, seeking to direct the respondents 1 and 2 to take appropriate action on the proposal of the 3rd respondent dated 26.04.2011 and 21.04.2016 relating to the promotion of the petitioners to the higher post either by bringing the petitioners under the purview of the existing service rules or by framing appropriate service rules so as to enable the petitioners to get promotion to the higher post.

2. Heard the learned counsel on either side.

3. Learned counsel for the petitioners would submit that the 1st petitioner was originally appointed as Electrician and the petitioners 2 to 5 as Wireman in the year 1998 and have been working in the 3 rd respondent Corporation; that they have no avenue for promotion in the Corporation, as there is no separate service rules for the post being held by the petitioners in the Street Light Section of the 3 rd respondent Corporation; the 3 rd respondent sent a proposal dated 26.04.2011 to the 2nd respondent, recommending either to bring the petitioners under the purview of the existing services rules or to frame appropriate service rules to them for promotion to the higher posts.

4. According to the learned counsel for the 3 rd respondent, the proposal submitted by the 3rd respondent has to be considered by the 2 nd respondent and after the approval being accorded by the 2nd respondent, further course of action will be taken by the 1st respondent. If this Court grants two and three months' time, the entire exercise will be completed.

5. Considering the fact that the petitioners are longing for promotion for quite a long time, the respondents are directed to complete the whole exercise within a period of two months from the date of receipt of a copy of this order.

With the above direction, this Writ Petition is disposed of. No costs.

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