

**THE HONOURABLE SMT JUSTICE V. SUJATHA**

**WRIT PETITION No.19139 of 2023**

**ORDER:-**

The present Writ Petition came to be filed under Article 226 of the Constitution of India seeking to declare the action of the respondents in not considering the case of the petitioner for promotion to the post of Assistant Director of Town Planning under 2<sup>nd</sup> respondent/Director of Town and Country Planning as illegal, unjust, arbitrary and contrary to law; consequently, direct the respondents to forthwith consider the case of the petitioner for promotion to the next level post i.e., Assistant Director of Town Planning as per G.O.Ms.No.257, General Administration (SER.C) Department, dated 10.06.1999, without referring to the pending Departmental Proceedings against the petitioner vide G.O.Rt.No.85 & 93, MA&UD (Vig-II) Department, dated 13.02.2023.

2. Heard learned counsel for the petitioner and learned Government Pleader for Municipal Administration. Perused the material on record.

3. Learned counsel for the petitioner submits that suffice if a direction is given to the respondents to consider the case of the petitioner for promotion to the post of Assistant Director of Town Planning, without reference to the disciplinary proceedings issued by the 1<sup>st</sup> respondents vide G.O.Rt.No.85 and 93, Municipal Administration and Urban Development (Vig-II) Department dated 13.02.2023, in terms of G.O.Ms.No.257, General Administration (Services-C) Department, dated 10.06.1999.

4. Learned Government Pleader appearing for the respondents does not refute the said submission.

5. Having regard to the facts and circumstances and without touching the merits of the case, the respondents are directed to consider the case of the petitioner for promotion to the post of Assistant Director of Town and Country Planning, without reference to the disciplinary proceedings issued by the 1<sup>st</sup> respondent vide G.O.Rt.No. 85 and 93 Municipal Administration and Urban Development (Vig-II) Department dated 13.02.2023, in terms of G.O.Ms.No.257, General Administration (Services-C) Department, dated 10.06.1999 and pass appropriate orders within

a period of six (06) weeks from the date of receipt of a copy of this order.

6. Accordingly, the Writ Petition is disposed of at the admission stage. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any pending, shall stand closed.

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**SMT JUSTICE V. SUJATHA**

Date: 01.08.2023

**Note:**

*Issue C.C. by 03.08.2023.*

*B/o.*

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