

THE HONOURABLE SMT JUSTICE V. SUJATHA

WRIT PETITION No.19521 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 Deputy Assistant Commissioner, on the ground that disciplinary proceedings are pending against the petitioner since 19.06.2018, as illegal and arbitrary and consequently direct the respondents to consider the case of the petitioner for promotion.

2. Heard learned counsel for the petitioner and learned Government Pleader for Services-I. Perused the material on record.

3. Learned counsel for the petitioner submits that it would suffice if a direction is given to the respondents to consider the case of the petitioner for promotion to the post of Deputy Assistant Commissioner, without reference to the disciplinary proceedings issued by the respondent authorities in terms of G.O.Ms.No.257, General Administration (Services-C)

Department, dated 10.06.1999 and G.O.Ms.No.679 dated 01.11.2008.

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 Deputy Assistant Commissioner in terms of G.O.Ms.No.257, General Administration (Services-C) Department, dated 10.06.1999 and G.O.Ms.No.679 dated 01.11.2008 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.

SMT JUSTICE V. SUJATHA

Date: 03.08.2023

SPP

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Dated 03.08.2023

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