

THE HONOURABLE SMT JUSTICE V. SUJATHA

WRIT PETITION No.20054 of 2023

ORDER:-

This Writ Petition is 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 Commissioner(ST), on the ground that charge memos are pending against the petitioner, as illegal and arbitrary.

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 Assistant Commissioner(ST), without reference to the Charge Memos issued by the respondent authorities in terms of G.O.Ms.No.257, General Administration (Services-C) Department, dated 10.06.1999, 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, 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 Commissioner(ST) in terms of G.O.Ms.No.257, General Administration (Services-C) Department, dated 10.06.1999, G.O.Ms.No.679 dated 01.11.2008, 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: 08.08.2023

SPP

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Dated 08.08.2023

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