

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:06-02-2015

CORAM:

THE HONOURABLE MR. JUSTICE SATISH K. AGNIHOTRI
AND
THE HONOURABLE MR. JUSTICE M. VENUGOPAL

W.A. No.178 of 2015 and M.P. Nos.1 & 2 of 2015

G. Dhanalakshmi

Appellant

Vs

1 Government of Tamil Nadu
represented by its Secretary
Municipal Administration and
Water Supply (MC.3) Department
Fort St. George
Chennai 600 009

2 The Commissioner
Corporation of Chennai
Ripon Building
Chennai 600 003

Respondents

Writ Appeal preferred under Clause 15 of the Letters Patent
challenging the order dated 09.01.2015 passed in W.P. No.34732 of
2013.

Prayer in WP.34732/2013: Writ Petition filed under Article 226 of the
Constitution of India praying for a Writ of Certiorarified Mandamus
calling for records on the files of the first respondent relating to
the impugned order bearing Government Letter No.32934/ MANA3/ 2008-14
dated 10.6.2013, quash the same as arbitrary and illegal and
consequently direct the respondents to appoint the petitioner as
Librarian for the Corporation of Chennai with effect from 18.12.2004
in the pay scale of Rs.15600-39100+5400 after due sanction of the
post as per the second respondent's resolution dated 23.1.2007 with
all consequential benefits including seniority and arrears of salary
with interest and award costs.

For appellant Mr. S. Prabhakaran for M/s. M.A. Gowthaman
For R1 Mr. N. Sakthivel, Government Advocate
For R2 Mr. G. Anantharangan

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JUDGMENT

(Order of the Court was made by SATISH K. AGNIHOTRI, J.)

The instant appeal arises from the order dated 09.01.2015 passed by the Writ Court in W.P. No.34732 of 2013, whereby and whereunder, the Writ Court dismissed the writ petition on the ground that the Government cannot be found fault with in rejecting the proposal made by Chennai Corporation to sanction the post of Librarian.

2 Today, when the matter was taken up for hearing, the learned counsel for the appellant/writ petitioner confined his prayer to consideration of the appellant's representation for grant of pay for the period, she has worked as Librarian on the basis of her representations made several times. Further, according to him, the appellant categorically gives up the challenge on other issues.

3 Thus, without going into the merits of the case, if such a representation is pending consideration, the second respondent is directed to consider the same on its own merit and in accordance with law and take appropriate decision within a period of four weeks from the date of receipt of a copy of this order.

4 In all other aspects, the writ appeal is dismissed. Connected Miscellaneous Petitions are closed.

cad

-s/d-

Assistant Registrar(CO)

Dt:13/2/2015

True Copy

Sub-Assistant Registrar

To

1 The Secretary
Municipal Administration and
Water Supply (MC.3) Department
Government of Tamil Nadu
Fort St. George
Chennai 600 009

2 The Commissioner
Corporation of Chennai
Ripon Building
Chennai 600 003

+ 1 cc to M/s.G.Anantharangan, Advocate SR 6816

+ 2 ccs to M/s.MA.Gowthaman, Advocate SR 6312

+ 1 cc to Govt.Pleader, High Court, Madras SR 6639

ca(co)
prk13/2

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