

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2015

CORAM:

THE HONOURABLE MR. JUSTICE D.HARIPARANTHAMAN

Writ Petition No.20461 of 2015

S.Ramamoorthy

...Petitioner

vs.

1.The Secretary to Government,
Municipal Administration and
Water Supply Department,
Secretariat, Fort St.George,
Chennai - 600 009.

2.The Commissioner of Municipal
Administration,
Chepauk, Chennai - 600 005.

...Respondents

Petition filed under Article 226 of the Constitution of India for the issuance of writ of Mandamus, directing the first respondent to pass appropriate orders on the representation of the petitioner dated 23.06.2015 in the light of the orders issued in G.O(D) No.395, Municipal Administration and Water Supply Department, dated 19.06.2015 within a reasonable period.

For Petitioner : Mr.T.Ranganathan

For Respondents : Mr.S.Gunasekaran
Govt.Advocate

ORDER

In view of the narrow prayer made by the petitioner, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner is working as Municipal Commissioner. While so, the Director of Municipal Administration initiated departmental proceedings under Rule 17(b) of Tamil Nadu Civil Services (D & A) Rules. However, he was exonerated from the charges by issuance of G.O.Ms.No.395 M.A. & W.S. Department, dated 19.06.2015. Due to the pendency of departmental proceedings, he was denied further promotion as Joint Director of Municipal Administration, while his juniors M/s.P.Janaki, R.Poongodi Arumaikan, N.S.Prema and T.Natarajan were promoted.

3. According to the petitioner, in view of G.O.Ms.No.395, he is entitled to be promoted from the date on which his immediate

juniors were promoted on notional basis. The petitioner made representation, dated 23.06.2015 to the first respondent in this regard. The petitioner has come up with this writ petition seeking for a direction to the first respondent to pass orders on his representation dated 23.06.2015 in the light of G.O.Ms.No.395.

4. In view of the narrow prayer made, the writ petition is disposed of by directing the first respondent to consider the representation of the petitioner, dated 23.06.2015 and pass appropriate orders on merits and in accordance with law and in the light of the Government Order referred to above, within a period of six weeks from the date of receipt of a copy of this order.

The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1.The Secretary to Government,
Municipal Administration and Water Supply Department,
Secretariat, Fort St.George,
Chennai - 600 009.

2.The Commissioner of Municipal Administration,
Chepauk, Chennai - 600 005.

+1cc to Mr.T.Ranganathan, Advocate, S.R.No.35603

+1cc to the Government Pleader, S.R.No.35032

RV(CO)
EU(27/07/2015)

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W.P.No.20461 of 2015