

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10.8.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.24600 of 2015

K.Kumar

...Petitioner

-Vs-

- 1 The Commissioner
Municipal Administration
Ezhilagam 6thFloor
Chepauk Chennai-600 005.
- 2 The Zonal Director
Municipal Administration
Chengalpet Zone Jeeva Complex
G.S.T.Road West Tambaram
Chennai-600 045.
- 3 The Commissioner
Kanchipuram Municipality
Kanchipuram District.
- 4 The Municipal Welfare Officer
Kancheepuram Municipality
Kanchipuram District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the respondents to consider the petitioner representations dated 20-01-2015 and 27-04-2015 and thereby direct the respondents to post the petitioner as Office Assistant (General Category) in the 3rd respondent municipality from the existing post of Sanitary Worker by considering his educational qualification and other eligibility criteria for the post of Office Assistant (General Category).

For Petitioner : Mr.M.V.Muralidaran

For R1 and R2 : Mr.V.Subbiah Spl.G.P

For R3 : Mr.G.B.Rajesh

O R D E R

By consent, this Writ Petition is taken up for final disposal.

2. The petitioner was appointed as Sanitary Worker on 15.10.2009 on compassionate ground and his scale of pay was fixed as 4,800-10,000 + 1,300 GP with all other allowances. The petitioner would submit that he has passed 10th Standard and due to family circumstances, and financial constraints, he was unable to continue his further education and would claim that ever since the date of appointment, he is discharging his duty with utmost care and caution to the satisfaction of his superior officers. The petitioner would state that in the light of the qualification, he is entitled to be appointed to the post of Office Assistant and in this regard, he has submitted a representation dated 18.11.2014 to respondents 3 and 4 requesting them to send him for Field Assistant Training under the Director General of Health and Prevention of Disease Medicinal Department, Annasalai, Teynampet, Chennai so as to enable him to get the post of Office Assistant or Field Assistant and it was also followed by reminders dated 20.01.2015 and 27.04.2015. Since no orders have been passed, came forward to file this writ petition.

3. Heard the submissions of the learned counsel appearing for the petitioner and Mr.V.Subbiah, learned Special Government Pleader who accepts notice on behalf of respondents 1 and 2 and also Mr.G.B.Rajesh, who accepts notice for third respondent.

4. This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the case, directs the third respondent to consider and dispose of the petitioner's representation dated 27.04.2015 and pass orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

5. This Writ Petition is disposed of accordingly. No costs.

kua

s/d-

Deputy Registrar(J)

True Copy

Sub-Assistant Registrar

To

1 The Commissioner
Municipal Administration
Ezhilagam 6thFloor
Chepauk Chennai-600 005.

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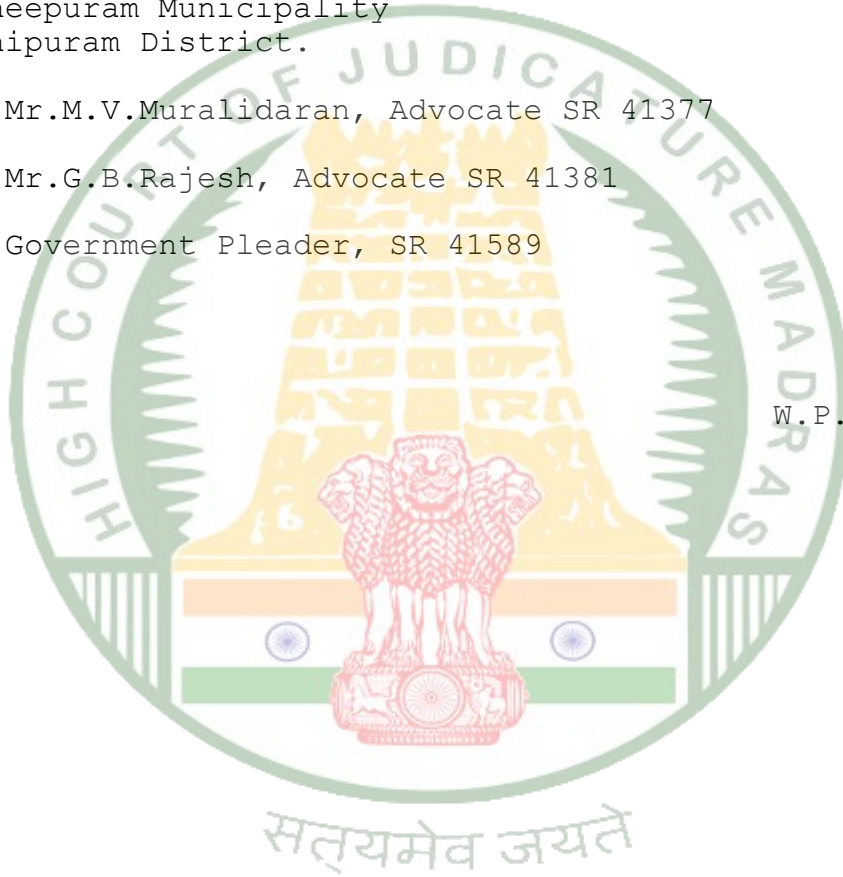
+ 1 cc to Mr.M.V.Muralidaran, Advocate SR 41377

+ 1 cc to Mr.G.B.Rajesh, Advocate SR 41381

+ 1 cc to Government Pleader, SR 41589

sv(co)
prk1/9

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