

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2015

CORAM:

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

Writ Petition No.27921 of 2015

N.C.Gopinath

... Petitioner

Vs.

1. The Secretary to Government,
Revenue Department,
Fort St. George, Chennai - 600 009
 2. The Commissioner for Revenue Administration,
Chepauk, Chennai - 5
 3. The District Collector, Kancheepuram
- ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the respondents to appoint the petitioner in the post of Junior Assistant (or any other suitable job), by relaxing the age limit in pursuance to the proceedings of the third respondent in Na.Ka.No.19250/2014/A4, dated 20.08.2014.

For Petitioner : Mr. K.H.Ravikumar
For Respondents : Mr. V.Subbiah, Spl.G.P.,

O R D E R

Admit. Mr.V.Subbiah, learned Special Government Pleader, takes notice for the respondents. By consent of the learned counsel for both sides, the writ petition is taken up for final disposal at the admission stage itself.

2. The petitioner would state that he was appointed as Complier, by the Office of the Directorate of Census Operation, on 19.07.1991 and was discharged from the said post on 28.02.1994. Thereafter, the Government has passed G.O.Ms.No.246, Personnel and Administrative Reforms Department, dated 29.08.2003, absorbing the retrenched census employees, who were on service from 1991. By the subsequent letter, dated 13.04.2005, the employees of the Census, in various Government Departments, were also absorbed. The petitioner, on account of his family circumstances was forced to leave Chennai and worked as a Labourer in Parakasam District, Andhra Pradesh, and therefore, he was not aware of the said Government Order / Letter and on coming to know about the same, he has submitted a representation praying for his

absorption in terms of the said Government Order / letter.

3. The Office of the third respondent has sent a notice, dated 20.08.2014, calling upon the petitioner to produce relevant records and the petitioner has also appeared and produced the relevant records. However, he has not been issued with any orders, therefore, he has submitted a representation, dated 22.07.2015, to the third respondent, who in-turn vide a memo, dated 11.08.2015 has informed the petitioner that the matter is pending consideration before the Commissioner of Revenue Administration / the second respondent herein, and as and when the response is coming, appropriate action will be taken on his representation. The petitioner has also submitted a representation, dated 22.08.2015 to the third respondent praying for early action. Since no orders have been passed, the petitioner has come forward to file this writ petition.

4. This Court heard the submissions of the learned counsel for the petitioner as well as the learned Special Government Pleader, who accepts notice on behalf of the respondents.

5. This Court, by taking into consideration the limited scope of the prayer sought for in this petition and without going into the merits of the claim projected by the petitioner and in the light of the above facts and circumstances, directs the second respondent to act on the proposal / clarification, dated 11.08.2015, sought for by the third respondent, in accordance with law, and pass orders, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

6. This writ petition is disposed of accordingly. No costs.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

srk

To

1. The Secretary to Government,
Revenue Department,
Fort St. George, Chennai - 600 009

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2. The Commissioner for Revenue Administration,
Chepauk, Chennai - 5

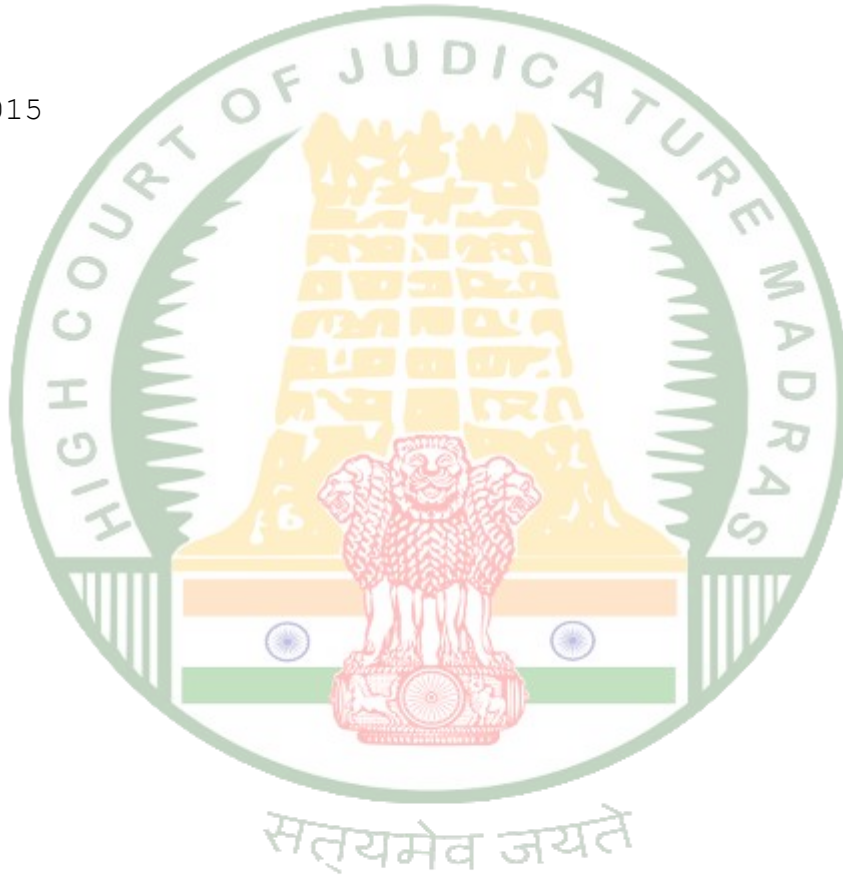
3. The District Collector, Kancheepuram

+1 cc to Mr.K.H.Ravikumar, Advocate sr.47849

+1 cc to M/s.Government Pleader vide sr.48282

W.P.No.27921 of 2015

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