

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10-09-2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

WRIT PETITION No.28543 of 2015

and

M.P.No.1 of 2015

K.V.Surendran

.. Petitioner

vs

1.State of Tamil Nadu
rep. By its Secretary to Government
Rural Development and Panchayat
Raj Department
Fort St. George, Chennai 9

2.Director
Commissionerate of Rural
Development and Panchayat Raj
Panagal Building, Chennai 15.

3.District Collector
Madurai District, Madurai

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for issuance of a writ of Mandamus directing the first respondent to forthwith promote the petitioner notionally as Assistant Director on par with his juniors and fix his last drawn pay in the post of Assistant Director and sanction difference in salary, arrears of pension and all other consequential monetary benefits in accordance with law.

For Petitioner : Ms.R.Poornima

For Respondents : Mr.S.Gunasekaran
Government Advocate

ORDER

By consent, the writ petition itself is taken up for final disposal.

2.The petitioner would state that he initially joined as Village Level Worker/Agricultural Assistant Grade-II on 13.6.1966, in the services of the Agriculture Department and the Government subsequently, took a decision to absorb 415 Village Level Workers working in the Agriculture Department, as Gramasevak Grade-II in the Rural Development Department.

3.The grievance expressed by the petitioner, is that the services rendered by him in the Agriculture Department between 13.6.1966 and 30.1.1977, have not been taken into consideration for the purpose of awarding Selection/Special Grades as well as fixing seniority in the Rural Development Department.

4.The learned Counsel appearing for the petitioner, would submit that as per the common judgment dated 19.4.2005, made in W.P.No.19960 of 1998 batch etc., which was filed by the Tamil Nadu Government (Converted) RWO Association, the seniority of the petitioners therein was directed to be fixed in accordance with the said judgment retrospectively from the date of their seniority, which ought to have been fixed but for the order passed by the Tamil Nadu Administrative Tribunal, which was put to challenge in the above said writ petitions, and the petitioner, in this regard, has also submitted a representation dated 26.6.2015, to the respondents and since no orders have been passed, came forward to file this writ petition.

5.Heard the submissions of the learned Counsel appearing for the petitioner, and Mr.S.Gunasekaran, learned Government Advocate, who accepted notice on behalf of the respondents.

6.Though the petitioner prayed for a larger relief, this Court, in the light of the facts and circumstances and without going into the merits of the claim projected by the petitioner either in his representation, or in this writ petition, directs the second respondent to consider his representation dated 26.6.2015, on merits and in accordance with law and pass orders thereon 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. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Asst.Registrar (CO)

/true copy/

Sub Asst. Registrar

To:

1.The Secretary to Government
Rural Development and Panchayat
Raj Department
Fort St. George, Chennai 9

2.The Director
Commissionerate of Rural
Development and Panchayat Raj
Panagal Building, Chennai 15.

3.The District Collector
Madurai District, Madurai

+lcc to Mr.V.R.Rajasekaran, Advocate sr.49681
+lcc to Government Pleader sr.49580

W.P.No.28543 of 2015

ctk[co]
srg 30.09.2015



WEB COPY