

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 07.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.31557 of 2015

C.Krishnamurthy

... Petitioner

Vs.

1. The Adi Dravidar Welfare Officer
Tiruvannamalai District
Tiruvannamalai
2. The Special Tahsildar
Adi Dravidar Welfare Department Polur Taluk
Tiruvannamalai District
3. State : rep. by The Director
Office of the Adi Dravidar and Tribal
Welfare Department Ezhilagam
Chennai 600 104
4. The Secretary to the Government
Adi Dravidar Welfare Department
Secretariat Fort St. George Chennai-600 009.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to promote the petitioner herein to the post of Junior Assistant with all back wages service benefits including promotion as per the qualification of the petitioner.

For Petitioner : Mr.T.Surendran
For Respondents : Mr.S.Gunasekaran
Government Advocate

O R D E R

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

2.The petitioner joined the services of the respondent Department on 03.03.1989 on compassionate ground as a Night Watchman and in terms of G.O.Ms.No.1499, Labour and Employment (OR) Department, dated 03.08.1989, the petitioner is to be accommodated either in the post of Record Clerk or Typist based on his qualification and on an earlier occasion, the petitioner has filed W.P.No.22470 of 2010 and this Court vide order dated 21.10.2010 has directed the respondent to consider the representation made by the petitioner for placing him as Junior Assistant instead of Night Watchman and pass orders in accordance with law within a stipulated time frame. The Special Tahsildar, Adi Dravidar Welfare Department Polur Taluk has also made a positive recommendation to the first respondent vide letter dated 08.07.2013 and inspite of it no orders have been passed to accommodate the petitioner either as Record Clerk or as Typist and hence, came forward to file this writ petition.

3.Heard the submissions of Mr.T.Surendran, learned counsel appearing for the petitioner and Mr.S.Gunasekaran, learned Government Advocate who accepts notice on behalf of the respondents.

4.A perusal of the typed set of documents would disclose that the first respondent has forwarded the recommendation of the second respondent to the third respondent vide letter dated 11.07.2014 in Na.Ka.K2/11991/2013.

5.In the light of the above facts and circumstances, this Court directs the third respondent to act on the above said letter of the first respondent and pass orders on merits and 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.

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

Sd/-

Assistant Registrar(CS IV)

//True Copy//

Sub Assistant Registrar

pri

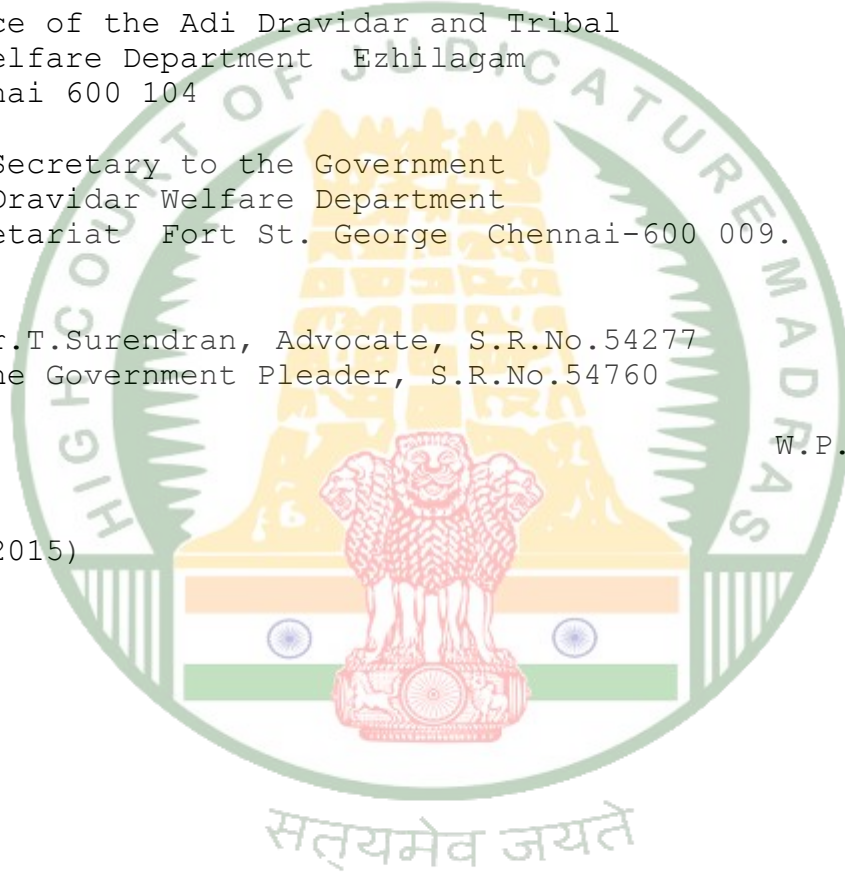
To

1. The Adi Dravidar Welfare Officer
Tiruvannamalai District
Tiruvannamalai
2. The Special Tahsildar
Adi Dravidar Welfare Department Polur Taluk
Tiruvannamalai District
3. The Director
Office of the Adi Dravidar and Tribal
Welfare Department Ezhilagam
Chennai 600 104
4. The Secretary to the Government
Adi Dravidar Welfare Department
Secretariat Fort St. George Chennai-600 009.

+1cc to Mr.T.Surendran, Advocate, S.R.No.54277
+1cc to the Government Pleader, S.R.No.54760

W.P.No.31557 of 2015

KK(CO)
CA(15/10/2015)



WEB COPY