

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 12.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.32303 of 2015

S.Kalavathy

... Petitioner

Vs.

The Commissioner
Coimbatore City Municipal Corporation
Coimbatore - 641 001.

... Respondent

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the Respondent to pass appropriate order on the representation of the petitioner dated 24.09.2014 within a reasonable period as may be fixed by this Hon'ble Court.

For Petitioner : Mr.T.Ranganathan
For Respondents : Mr.K.Mahesh

O R D E R

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

2.The petitioner was appointed as Skilled Assistant Grade - II on daily wages initially in the services of the respondent Municipal Corporation and she claims that she is a B.E.Civil Engineering Graduate and hence made a request to the respondent to appoint her as Assistant Engineer in respect of the direct recruitment vacancy based on the orders issued by the Municipal Administration Water Supply Department in G.O.Ms.No.79, dated 30.04.2001. Accordingly, the respondent vide proceedings dated 20.06.2001, has appointed the petitioner as Assistant Engineer.

3.It is further stated by the petitioner that in the combined seniority list was prepared by the respondent vide proceedings dated 22.12.2006, the name of the petitioner was placed in serial no.22 and objections were also invited as to the seniority list. Since no objections were raised, the seniority list became final even in the year 2001 and it was also confirmed by the respondent in the seniority list published

on 22.12.2006. The petitioner was put, additional charge of the Assistant Executive Engineer by the respondent vide proceedings dated 26.08.2014 and she also assumed charge on 27.08.2014.

4.It is the claim of the petitioner that as per Rule 24 of the Tamil Nadu Municipal Corporation Service Rules, 1996 panel should be prepared on the first of April of every year and however, the panel for promotion to the post of Assistant Executive Engineer, have not been prepared and though in this regard, the petitioner has submitted a number of representations to the respondent praying for appropriate orders promoting her to the post of Assistant Executive Engineer in the existing vacancy, as she is in additional incharge of the said post right from the year 2014, no orders have been passed and hence, came forward to file this writ petition.

5.Heard the submissions of Mr.T.Ranganathan, learned counsel appearing for the petitioner and Mr.K.Mahesh, learned counsel who accepts notice on behalf of the respondent.

6.This Court taking into consideration the limited scope of the prayer sought for by the petitioner and without going into the merits of the same, directs the respondent to consider and dispose of the petitioner's representations dated 04.05.2015 and 16.09.2015 on merits and 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. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

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To

The Commissioner
Coimbatore City Municipal Corporation
Coimbatore - 641 001.

+1cc to Mr.K.Magesh, Advocate, S.R.No.55686
+1cc to Mr.T. Ranganathan, Advocate, S.R.No.55533

VGI(CO)
EU(29/10/2015)

W.P.No.32303 of 2015