

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 27.10.2015

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

WP.No.33853/2015

P.Kesavalu

..Petitioner

Versus

1.The Principal Secretary to Government
Rural Development and Panchayat
Department, Fort St George, Chennai-09.

2.The Commissioner,
Rural Development & Panchayatraj Department
Panagal Building, Saidapet, Chennai-15.

3.The District Collector
Villupuram District, Villupuram.

..Respondents

Prayer:-Writ petition filed under Article 226 of the Constitution of India praying for a issuance of a writ of mandamus to direct the respondents to consider and pass appropriate order on the appeal/objection dated 12.03.2015 filed by the petitioner and to promote the petitioner as Block Development Officer on par with his junior and grant all consequential service and monetary benefits.

For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.V.Subbiah, Spl.GP

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ORDER

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

2 The petitioner was appointed as a Junior Assistant on compassionate ground on 02.08.1991 and the services were regularised vide order of the 1st respondent dated 29.06.1999 and during the year 2000, he was promoted as Assistant and

subsequently, got his promotion as Deputy Block Development Officer in the year 2008 and claims to have rendered 25 years of unblemished service to the satisfaction of the superior officers. The petitioner would further state that he has successfully passed the Departmental test as early as in the year 1995 itself and he was fully qualified for further promotion as Assistant. The petitioner would also submit that the persons who were promoted in the year 1995 are juniors to him and though they are not qualified, they were given promotion by invoking Rule 39 of the General Rules. In this regard, the petitioner's representation did not evoke any favourable response. It is further stated by the petitioner that the 3rd has prepared tentative seniority list without considering the claim of the petitioner. In this regard, the petitioner submitted an appeal/objection to the 1st respondent in the form of representation dated 12.03.2015 through proper channel and since no orders have been passed, he came forward to file this writ petition.

3 Heard the submissions of the learned counsel for the petitioner and Mr V. Subbiah, learned Special Government Pleader, who accepts notice on behalf of the respondents.

4 Though the petitioner has prayed for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the same, directs the 1st respondent to consider and dispose of the petitioner's appeal / objection dated 12.03.2015 in accordance with law, after putting on notice the persons concerned and pass orders within a period of ten weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

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

AP

sd/
ASSISTANT REGISTRAR (CS-V)

/TRUE COPY/

SUB-ASSISTANT REGISTRAR

To

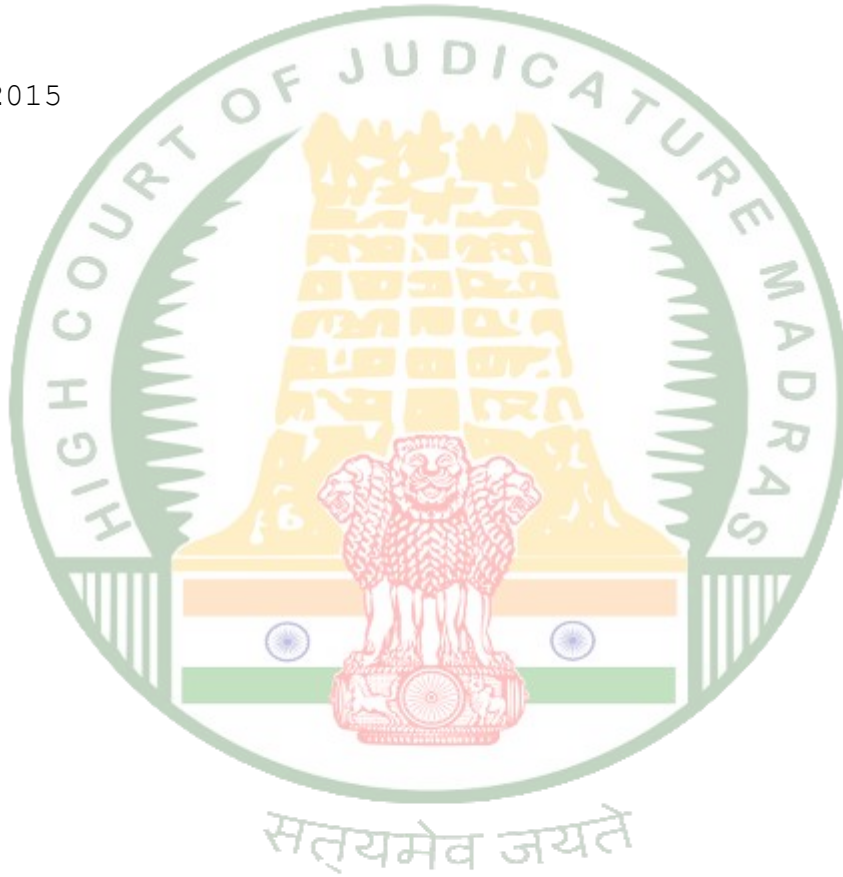
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CO-PPA
JD 18/11/2015



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