

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.10.2015

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.34523 of 2015

And

M.P.No.1 of 2015

1.S.Vengadeswaran

2.Pierre Xavier

3.R.Meenakshi

... Petitioners

Vs.

1 The Secretary to Government,
Local Administration Secretariat Department,
Puducherry.

2 The Director
Local Administration Secretariat Department,
Puducherry.

3 The Commissioner
Puducherry Municipality
Puducherry.

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents herein to consider and promote the petitioners to the posts of LDC/Junior Assistant in the 3rd respondent Municipality with retrospective effect from their respective date of eligibility with all service and attendant benefits.

For Petitioners : Mr.K.Govi Ganesan

For Respondents : Mr.Syed Mustafa

Spl. Government Pleader (Pondy)

O R D E R

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

2.The petitioners 1 and 2 are working as Watchmen and the third petitioner is working as Peon in the services of the Puducherry Municipality, Puducherry and claims to have rendered more than 20 years of service. The petitioner would further

state that the persons working in Group D are eligible for promotion to the post of Lower Division Clerk which are classified as General Central Service and it can be done by direct recruitment as well as by promotion and the rules have also been formulated for granting such a promotion.

3.The grievance expressed by the petitioner is that they are eligible to get promotion to the post of Lower Division Clerk/Junior Assistant in terms of recruitment rules of the third respondent, but their claims have not been considered and in this regard, submitted representations dated 30.01.2012 and 10.09.2015, 10.09.2015 and 16.09.2015 respectively, to the respondents and since no orders have been passed, came forward to file this writ petition.

4.Heard the submissions of Mr.K.Govi Ganesan, learned counsel appearing for the petitioner and Mr.Syed Mustafa, learned Special Government Pleader (Pondy) who accepts notice on behalf of the respondents.

5.Though the petitioner prayed for the larger relief, this Court in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioners, directs the respondents 1 to 3 to consider and dispose of the petitioners' representations dated 30.01.2012 and 10.09.2015, 10.09.2015 and 16.09.2015 respectively, on merits and in accordance with law 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 petitioners.

6.The writ petition is disposed of accordingly. No costs. Consequently, the connected miscellaneous petition is also closed.

pri

s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

To

- 1 The Secretary to Government,
Local Administration Secretariat Department,
Puducherry.
- 2 The Director
Local Administration Secretariat Department,
Puducherry.

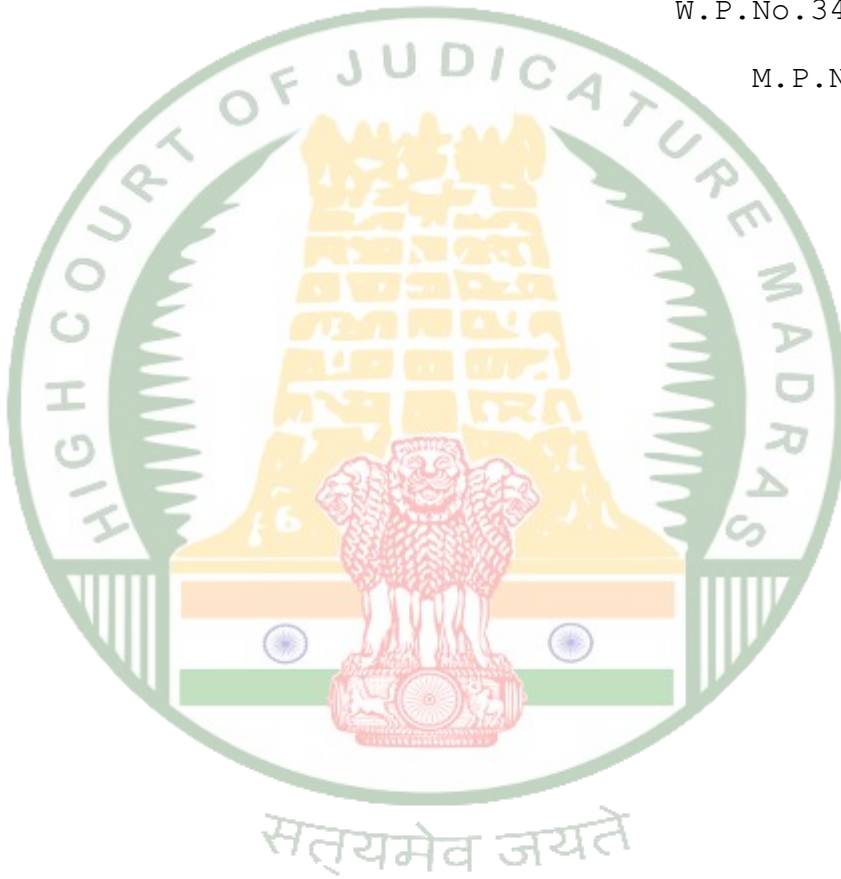
3 The Commissioner
Puducherry Municipality
Puducherry.

+ 1 cc to M/s.K.govi Ganesan, Advocate SR 59159

+ 1 cc to the Govt.Pleader cum Public Prosecutor for Pondicherry
SR 59461

mp(co)
prk26/11

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