

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.02.2015

CORAM

THE HONOURABLE Mr. JUSTICE M.DURAI SWAMY

W.P.No.3544 of 2015

1 P.Kumar .. Petitioner

Vs

- 1 The State of Tamilnadu
rep. by its Principal Secretary
Rural Development and Panchayat Raj Department
Fort St. George, Chennai-9
- 2 The Commissioner
Rural Development and Panchayat Raj Department
Panagal Maaligai, Saidapet
Chennai-15
- 3 The District Collector
Nagapattinam
Nagapattinam District .. Respondents

Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of mandamus, directing the 1st respondent to pass orders on the representation of the petitioner dated 28.10.2014 in the light of the order in G.O.(2 Pa) No.7 Rural Development and Panchayat Raj (Pa.a-4) Department dated 30.1.2012 passed by the 1st respondent and Collector proceedings in Na.Ka.No.2510/R.D.4/2012 dated 31.7.2014 of the 3rd respondent within a time limit that may be specified by this Honourable court.

For Petitioner : Mr.G.Elanchezhian
For Respondents : Mr.P.Sanjay Gandhi,
Additional Government Pleader

ORDER

The petitioner has filed the above writ petition to issue a Writ of Mandamus, directing the first respondent to pass orders on the representation of the petitioner dated 28.10.2014 in the light of the order in G.O.(2 Pa) No.7 Rural Development and Panchayat Raj (Pa.a-4) Department dated 30.1.2012 passed by the first respondent and the proceedings dated 31.7.2014 of the 3rd respondent, within a stipulated time.

2. The petitioner was appointed as Junior Assistant on compassionate grounds. Though the petitioner was appointed as Junior Assistant and promoted as Assistant, his juniors, who

joined service as Junior Assistant subsequent to the appointment of the petitioner, were promoted as Assistant earlier to him. Though the petitioner's juniors had marched over him and he was deprived of promotional opportunities in time, due to the delay in sending the petitioner to Bhavanisagar Training. In these circumstances, the petitioner gave a representation dated 28.10.2014, requesting the Government to pass orders in the light of the order in G.O.(2 Pa) No.7 Rural Development and Panchayat Raj (Pa.a-4) Department dated 30.1.2012 passed by the first respondent and the connected proceedings dated 31.7.2014 of the 3rd respondent. However, according to the petitioner, the respondents have not considered the representation given by the petitioner.

3. Mr.P.Sanjay Gandhi, learned Additional Government Pleader, takes notice for the respondents and submits that the first respondent may be directed to dispose of the representation of the petitioner, within the time frame.

4. Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for in the writ petition, without expressing any opinion with regard to the merits of the case, I direct the first respondent to consider the representation dated 28.10.2014 of the petitioner and pass orders on merits and in the light of the order in G.O.(2 Pa) No.7 Rural Development and Panchayat Raj (Pa.a-4) Department dated 30.1.2012 passed by the first respondent and the proceedings dated 31.7.2014 of the 3rd respondent, within a period of eight weeks from the date of receipt of a copy of this order.

With this observation, the writ petition is disposed of. However, there shall be no order as to costs.

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

ajr

To

1 The Principal Secretary
State of Tamilnadu
Rural Development and Panchayat Raj Department
Fort St. George, Chennai-9

2 The Commissioner
Rural Development and Panchayat Raj Department
Panagal Maaligai, Saidapet
Chennai-15

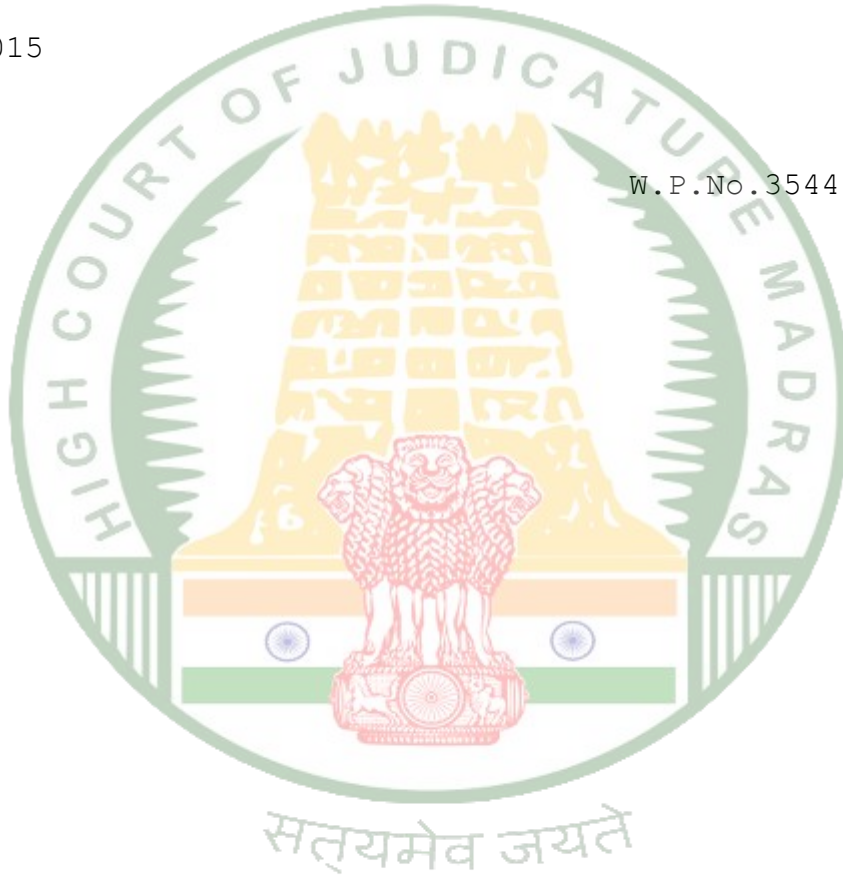
3 The District Collector
Nagapattinam
Nagapattinam District

+1 CC to M/S.G.Elanchezhiyan, Advocate Sr.No.7932

+1 CC to The Government Pleader, High Court, Madras- Sr.No.7919

CO-GP

ths : 20.02.2015



W.P.No.3544 of 2015

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