

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.11.2015

CORAM:

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.38071 of 2015

J. Ramesh Babu

.. Petitioner

Vs.

1.The Secretary to Government,
Municipal Administration and Water Supply
Department,
Secretariat, Chennai 600 009.

2.The Commissioner of Municipal Administration,
Chepauk,
Chennai 600 005.

...Respondents

Prayer : Writ petition filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus, directing the first respondent to pass appropriate orders on the Appeal Petition submitted by the petitioner dated 20.10.2015 in the light of the orders passed by the Government in G.O.(Ms)No.39, P & A.R. Department, dated 30.04.2014, so as to consider the name of the petitioner for promotion as Overseer/Draftsman from the date of promotion of his junior.

For Petitioner : Mr.T. Ranganathan

For Respondents: Mr.M.E.Raniselvam
Additional Government Pleader

ORDER

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

2. According to the petitioner, he was initially appointed as NMR Gang Mazdoor on 01.10.1995. Subsequently, he was promoted as Tap Inspector on consolidated pay on 01.10.2000 and his next promotion is to the post of Overseer/Draftsman according to the Tamil Nadu Municipal Engineering Subordinate Service Rules.

3. The second respondent published seniority list of Work Inspectors along with Tap Inspectors and the petitioner is serial No.1 in the said seniority list. However, the petitioner

was not promoted alleging that he has not acquired Diploma in Civil Engineering from the Examination Board, Chennai as prescribed under the Tamil Nadu Engineering Subordinate Service Rules.

4. The grievance of the petitioner that he had preferred an appeal to the first respondent on 20.10.2015 against the order of second respondent, but it has not been disposed of. Hence, the present writ petition has been filed.

5. Heard Mr.T.Ranganathan, learned counsel for the petitioner and Ms.M.E.Raniselvam, learned Additional Government Pleader for the respondents.

6. This Court, considering the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the first respondent to dispose of the appeal preferred by the petitioner dated 20.10.2015 and pass order on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order and communicate the decision taken to the petitioner.

This writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

True Copy

Sub Assistant Registrar

To

1.The Secretary to Government,
Municipal Administration and Water Supply
Department,
Secretariat, Chennai 600 009.

2.The Commissioner of Municipal Administration,
Chepauk, Chennai 600 005.

+1cc to The Government Pleader Sr.65216
+1cc to Mr.T.Ranganathan, Advocate sr.65048

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srg 29/12/2015