

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 08.12.2015

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.38602 of 2015

A.Sakthivel

...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 to issue Writ of Mandamus, directing the 1st 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 30.4.2014 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

O R D E R

By consent this Writ Petition is taken up for final disposal.

2. According to the petitioner, he was initially appointed as NMR Gang Mazdor through Employment Exchange, Pollachi and subsequently, he was promoted as Watchman in the year 2001 and as Work Inspector on 17.06.2010. He is possessing diploma in Civil Engineering and he is eligible to be promoted as Overseer/Draftsman according to the Tamil Nadu Municipal Engineering Subordinate Service Rules. However, the petitioner was not given promotion as he acquired diploma in Civil Engineering from Vinayaga Mission Research Foundation, Salem

(Deemed University) and he has not acquired Diploma in Civil Engineering from the Examination Board, Chennai as per the Service Rules.

3. The learned counsel for the petitioner submitted that aggrieved by the order of the second respondent, the petitioner has preferred a representation to the first respondent dated 20.10.2015 and in the light of the orders passed by the Government in G.O.(Ms).N0.39, P & AR Department, dated 30.4.2014, the representation has to be considered by the first respondent. Since the same, was not considered, the present Writ Petition has been filed.

4. Heard the submissions of Mr.T.Ranganathan, learned counsel for the petitioner and Ms.M.E.Raniselvam, learned Additional Government Pleader who accepts notice on behalf of the respondents.

5. This Court on consideration of the limited scope of prayer sought for in this writ petition and without going into the merits of the case directs the first respondent to consider and dispose of the representation of the petitioner dated 20.10.2015 and pass orders 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.

6. This Writ Petition is disposed of accordingly. No costs.

kua

Sd/-
Asst.Registrar

/true copy/

Sub Asst. 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.
- + 1 cc to Mr.T.Ranganathan, Advocate Sr 65667.
- + 1 cc to The Govt.Pleader, Sr 65942.

SVI/CO
KR/23/12

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