

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 16.12.2015

Coram :

The Hon'ble Mr.Justice K.KALYANASUNDARAM

W.P.No.39612 of 2015

N.Palani

... Petitioner

vs

1.The State of Tamil Nadu
rep.by its Prl. Secretary,
Municipal Administration and
Water Supply Department,
Fort St. George,
Chennai - 600 009.

2.The Director of Town Panchayat
Kuralagam,
Chennai - 600 108

... Respondents

Writ Petition is filed under Article 226 of the Constitution of India for issue of writ of Mandamus directing the first respondent to pass orders on the representation dated 26.12.2014 and 16.03.2015 seeking fixation of the seniority and promotion thereto on merits.

For Petitioner : Mr.L.Chandrakumar

For Respondents : Mr.M.L.Mahendran
Government Advocate.

O R D E R

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

2. The case of the petitioner is that he was appointed as Junior Assistant on compassionate ground on 14.05.1982 and his service was regularised with effect from 19.10.1983. While he was working as an Executive Officer, he was reverted during April 1998 to the post of Junior Assistant. Challenging the order, the petitioner filed O.A.No.3690 of 1998 before the Tamil Nadu Administrative Tribunal and the tribunal has also issued a direction to post the petitioner as Executive Officer without

reference to his seniority. Aggrieved by the order, the respondent filed WP No.9597 of 2005 which was also dismissed by the Division Bench of this Court on 13.02.2009. Despite the same, his service was not regularised and the petitioner's representation was rejected by the 1st respondent in letter No.17642/Peu.1/2013-6 dated 30.7.2014. Aggrieved by the order, the petitioner filed Review Petition dated 26.12.2014 and also sent reminder on 16.03.2015. Since no order has been passed, the petitioner has come up with the present writ petition.

3. Heard Mr.J.Chandrakumar, learned counsel appearing for the petitioner and Mr.M.L.Mahendran, learned Government Advocate who accepts notice on behalf of the respondents.

4. This Court, considering the limited scope sought for by the petitioner and without going into the merits of the same, directs the 1st respondent to dispose of the review petition filed by the petitioner on 26.12.2014 and subsequent reminder dated 16.03.2015 and pass orders on merits and in accordance with law, within a period of eight 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.

rg

s/d-
Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

To

1.The Principal Secretary,
State of Tamil Nadu
Municipal Administration and
Water Supply Department,
Fort St. George,
Chennai - 600 009.

2.The Director of Town Panchayat
Kuralagam, Chennai - 600 108.

+ 1 cc to Govt.Pleader SR 68174

+ 1 cc to Mr.L.Chandrakumar, Advocate SR 67807

skv(co)
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