

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 18.12.2015

CORAM

THE HONOURABLE MR. JUSTICE K.KALYANASUNDARAM

W.P.No.40121 of 2015

S.Jagatheesh

.. Petitioner

Vs.

The State of Tamil Nadu
Rep by its Principal Secretary
Rural Development and Panchayat Raj
Department, Fort St.George
Chennai-9

2.The Director
Rural Development and Panchayat Raj Department
Panagal Maligai
Chennai-15.

3.The District Collector
Thiruvarur, Thiruvarur District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the first respondent to pass orders on the representation of the petitioner dated 25.05.2015 in the light of the order in GO.(2 pa) No.7, Rural Development and Panchayat Raj (Pa.a-4) Department dated 03.01.2012 and GO.(1 Pa) No.447, Rural Development and Panchayat Raj (Pa.a-4) Department dated 19.08.2015 passed by the first respondent.

For Petitioner : M/s.G.Elanchezhian

For respondents : M/s.L.Mahendran, GA

O R D E R

The petitioner has filed the above writ petition to issue a Writ of Mandamus to direct the first respondent to pass orders on the representation of the petitioner dated 25.05.2015 in the light of the order in GO.(2 pa) No.7, Rural Development and Panchayat Raj (Pa.a-4) Department dated 30.01.2012 passed by the first respondent and the proceedings dated 31.07.2014 of the 3rd respondent, within a stipulated

2.The petitioner was appointed as Junior Assistant on Compassionate Grounds on 28.02.2007. 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 the promotional opportunities in time, due to the delay in sending the petitioner to Bhavanisagar Training. In these circumstances, the petitioner gave a representation dated 25.05.2015, requesting the Government to pass orders in the light of the order in GO.(2 pa) No.7, Rural Development and Panchayat Raj (Pa.a-4) Department dated 03.01.2012 passed by the first respondent and the connected proceedings dated 31.07.2014 of the 3rd respondent. However, according to the petitioner, the respondents have not considered the representation given by the petitioner.

3.Heard the submissions of Mr.G.Elanchezhian, learned counsel appearing for the petitioner and M/s.L.Mahendran, Government Advocate who accepts notice on behalf of the respondents.

4.This Court, taking into consideration the limited scope of prayer sought for by the petitioner and without going into the merits of the same, directs the first respondent to consider the representation of the petitioner dated 25.05.2015 and pass orders on merits and in accordance with law, in the light of the order in GO.(2 pa) No.7, Rural Development and Panchayat Raj (Pa.a-4) Department dated 30.01.2012 passed by the first respondent and the proceedings dated 31.07.2014 of the 3rd respondent, within a period of eight weeks from the date of receipt of a copy of this order.

5.The Writ Petition is disposed of accordingly. No costs.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

tsh

To

The Secretary, State of Tamil Nadu
Rural Development and Panchayat Raj
Department, Fort St.George
Chennai-6

2.The Director
Rural Development and Panchayat Raj Department
Panagal Maligai
Chennai-15.

3.The District Collector
Thiruvavarur, Thiruvavarur District.

+1 cc to M/s.G.Elanchezhiyan, Advocate, sr.68787
+1 cc to The Government Pleader, sr.68733

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ug co
kra 05.01.2016



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