

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.04.2016

CORAM

THE HON'BLE MR. JUSTICE T.RAJA

W.P.No.13087 of 2016

K.Manickavelu

... Petitioner

Vs.

1.The Commissioner,
Rural Development & Panchayat Raj,
Panagal Buildings, Saidapet,
Chennai-15.

2.The District Collector,
Kancheepuram District,
Kancheepuram-631 015.

3.The Block Development Officer,
Kancheepuram Panchayat Union,
Padappai Kancheepuram District.

... Respondents

Prayer:Petition filed under Article 226 of The Constitution of India praying to issue a writ of Mandamus, directing the second respondent to pass orders on the representation dated 09.11.2015 as forwarded to the second respondent by the third respondent vide Na.Ka.No.A3/2149/2015/ dated 10.11.2015 seeking promotion as Assistant/Rural Welfare Officer Grade-I and Deputy Block Development Officer on par with the petitioner juniors on merits, within the time frame as fixed by this Court.

For Petitioner : Mr.L.Chandrakumar

For Respondent : Mr.A.Kumar,
Nos.1 & 2 Special Government Pleader

For Respondent-3 : Mr.P.V.Selvakumar

O R D E R

This Writ Petition has been filed by the petitioner seeking a Writ of Mandamus, directing the second respondent to pass orders on his representation dated 09.11.2015 forwarded by the third respondent vide Na.Ka.No.A3/2149/2015 dated 10.11.2015 seeking promotion as Assistant/Rural Welfare Officer Grade-I and Deputy Block Development Officer on par with his juniors.

2.Heard Mr.L.Chandrakumar, learned counsel for the petitioner and Mr.A.Kumar, Special Government Pleader for the respondents 1 and 2 as well as Mr.P.V.Selvakumar, learned counsel for the third respondent.

3.The petitioner was initially appointed as Junior Assistant/Rural Welfare Officer Grade-II on compassionate ground vide proceedings of the second respondent dated 05.07.2007 and his service was regularised on 20.07.2007 vide G.O.(3D) No.95, Rural Development & Panchayat Raj (E3) Department dated 26.04.2013 and thereafter, he was promoted as Assistant/Rural Welfare Officer Grade-I on 23.01.2015. The grievance of the petitioner is that as per G.O.(1D) No.496, Rural Development & Panchayat Raj (E7) Department dated 11.11.2014, he is entitled to get all consequential benefits, but till date, the benefit of regularisation including promotion and other benefits have not been considered by the respondents. Therefore, he made a representation to the third respondent on 09.11.2015 and accepting the representation of the petitioner, the third respondent has also sent a proposal to the second respondent vide Na.Ka.No.A3/2149/2015 dated 10.11.2015. Since there is no response from the second respondent, he has come forward with the present writ petition.

4.Mr.A.Kumar, learned Special Government Pleader who accepts notice for the respondents 1 and 2, has sought time for 12 weeks to consider the representation of the petitioner dated 09.11.2015, which was forwarded by the third respondent in his proceedings dated 10.11.2015, in view of the intervening election process.

5.Considering the same, this Court directs the second respondent to consider the proposal sent by the third respondent dated 10.11.2015 on the basis of the representation given by the petitioner dated 09.11.2015 and dispose of the same on merits and in accordance with law. It is made clear that the said exercise shall be completed by the second respondent within a period of four weeks from the date of completion of the election process.

6.Accordingly, this writ petition is disposed of. No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

To

1.The Commissioner,
Rural Development & Panchayat Raj,
Panagal Buildings, Saidapet,
Chennai-15.

2.The District Collector,
Kancheepuram District,
Kancheepuram-631 015.

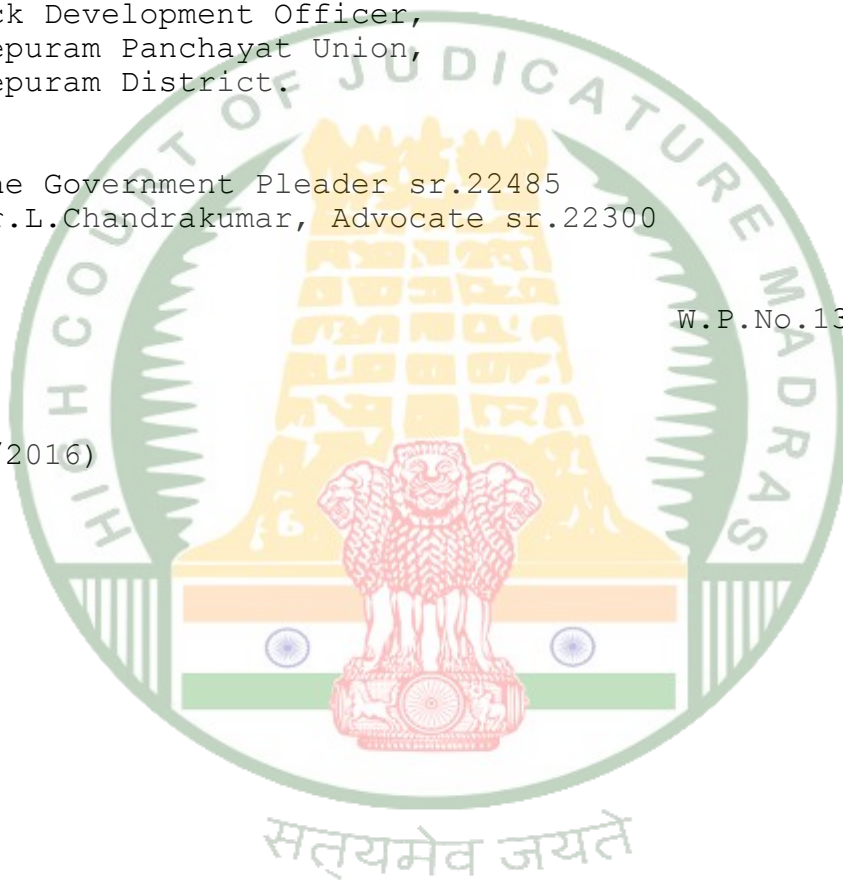
3.The Block Development Officer,
Kancheepuram Panchayat Union,
Kancheepuram District.

+1cc to the Government Pleader sr.22485

+1cc to Mr.L.Chandrakumar, Advocate sr.22300

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pur (CO)
srg (19/05/2016)



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