

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 21.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.14586 of 2016

N.Gopalan

... Petitioner

-Vs-

1.The State of Tamil Nadu,
rep. by its Secretary to Government,
Municipal Administration &
Water Supply Department,
Secretariat, Fort St. George,
Chennai 600 009.

2.The Director of Town Panchayats,
Kuralagam, Chennai-600 104.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the first respondent to consider the representation/appeal submitted by the petitioner dated 20.12.2014 and to grant promotion to the petitioner on par with his junior R.Jayabal in the post of Selection Grade Executive Officer and Assistant Director of Town Panchayat on notional basis with all consequential and other attendant benefits including arrears of salary and revision of retirement benefits as granted for similarly placed persons in Government Letter No.23901/PeRu.1/2013-1 dated 26.05.2014, within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

For Respondents : Mr.R.Vijayakumar
Additional Government Pleader

O R D E R

This writ petition has been filed by the petitioner, seeking a direction to the first respondent to consider the representation/appeal submitted by him dated 20.12.2014 and to grant promotion to him on par with his junior R.Jayabal in the post of Selection Grade Executive Officer and Assistant Director of Town Panchayat on notional basis with consequential and other attendant benefits including arrears of salary and revision of

retirement benefits as granted for similarly placed persons in Government Letter No.23901/PeRu.1/2013-1 dated 26.05.2014, within a time frame to be fixed by this Court.

2.Learned counsel appearing for the petitioner would submit that the petitioner was initially appointed as Junior Assistant in Town Panchayat Services on 02.08.1966. Thereafter, he was promoted as Head Clerk in the year 1988 and Executive Officer Grade-I in the year 1996. He was further promoted to the post of Selection Grade Executive Officer on 05.02.2001 and retired from service on reaching the age of superannuation on 30.09.2005. He would further submit that when orders are passed for number of similarly placed persons, the petitioner's representation dated 20.12.2014, requesting the first respondent to grant promotion on par with his junior R.Jayabal in the post of Selection Grade Executive Officer and Assistant Director of Town Panchayat on notional basis, has not been considered by the respondents. Learned counsel appearing for the petitioner brought to the notice of this Court the order passed by this Court in W.P. No.7944 of 2016, dated 03.03.2016, wherein this Court directed the first respondent to consider the petitioner's appeal therein dated 11.12.2013. Accordingly, he would pray that a similar order may be passed in this writ petition also.

3.Heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader appearing for the respondents.

4.Since the issue raised in this writ petition has already been decided by this Court in W.P. No.7944 of 2016, dated 03.03.2016, the petitioner's pending appeal requires to be disposed of on merits. Therefore, the first respondent is directed to consider the petitioner's appeal dated 20.12.2014 and pass orders, on merits and in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order.

5.With the above direction, the Writ Petition is disposed of. No costs.

Sd/-
Assistant Registrar(CS VII)

//True Copy//

Sub Assistant Registrar

vga

To

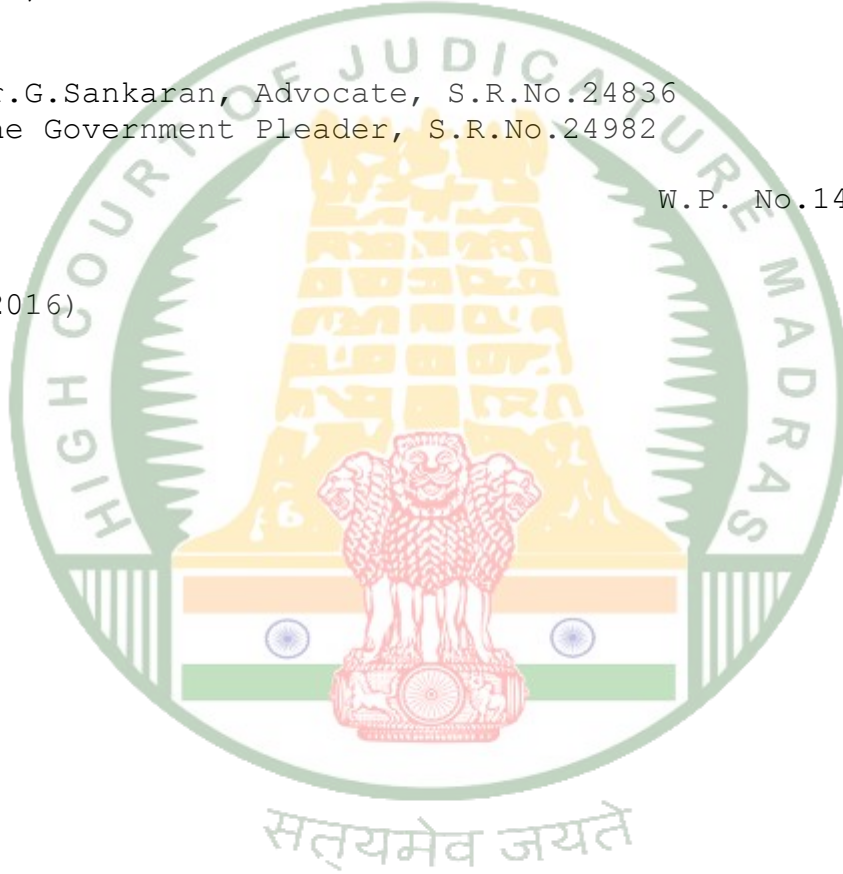
1.The Secretary to Government,
State of Tamil Nadu,
Municipal Administration &
Water Supply Department,
Secretariat, Fort St. George,
Chennai 600 009.

2.The Director of Town Panchayats,
Kuralagam, Chennai-600 104.

+1cc to Mr.G.Sankaran, Advocate, S.R.No.24836
+1cc to the Government Pleader, S.R.No.24982

W.P. No.14586 of 2016

UG(CO)
CA(12/05/2016)



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