

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 25.04.2016

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P. No.15074 of 2016

K.Murthy

.. Petitioner

-vs-

1.The State of Tamil Nadu rep. by its
Principal Secretary to Government,
Municipal Administration and
Water Supply Department,
Secretariat, Fort St. George,
Chennai-9.

2.The Commissioner of Municipal Administration,
Chepauk, Chennai 600 005.

3.The Commissioner,
Thanjavur City Municipal Corporation,
Thanjavur.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a writ of mandamus directing the respondents 1 to 3 for passing appropriate orders for promoting the petitioners to the post of Technical Assistant/Electrical Superintendent in the 3rd respondent Corporation based on the eligibility and seniority of the petitioner by considering the representation submitted by the petitioner dated 29.01.2016 with all consequential and other attendant benefits, within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran

For Respondents: Mr.S.Gunasekaran,
Additional Government Pleader

O R D E R

The petitioner K.Murthy, who has been continuously working in the post of Wireman from the date of his appointment, has come to this Court, seeking a direction to the respondents for promoting him to the post of Technical Assistant/Electrical Superintendent in the 3rd respondent Corporation based on the eligibility and seniority, by considering the representation

submitted by him on 29.01.2016 with all consequential and other attendant benefits, within a time frame to be fixed by this Court.

2.The grievance of the petitioner is that he being appointed as Wire Man, is eligible for promotion to the post of Technical Assistant and further to the post of Junior Engineer based on his seniority and eligibility. In this regard, based on the representation submitted by the petitioner, the Commissioner, Thanjavur Municipality/the third respondent has forwarded a proposal to the Commissioner, Thanjavur City Municipal Corporation/the second respondent herein on 28.10.2013 for promotion to the post of Junior Engineer. Subsequently, the second respondent by proceedings dated 02.02.2016 has called for more particulars from the third respondent. Thereafter, there is no response till date. Hence, he is before this Court.

3.Learned counsel appearing for the petitioner sought for a direction to the second respondent to consider and pass appropriate orders on the basis of the recommendation made by the third respondent.

4.Heard the learned counsel appearing for the petitioner and Mr.S.Gunasekaran, learned Additional Government Pleader, who takes notice on behalf of the respondents, sought time to consider the proposal sent by the third respondent to the second respondent.

5.Since a proposal has already been made by the Commissioner, Thanjavur City Municipal Corporation/the third respondent herein to the Commissioner of Municipal Administration, Chennai-5/the second respondent herein, this Court has no hesitation to consider the case of the petitioner. Therefore, the second respondent is directed to consider the proposal sent by the third respondent and pass appropriate 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.

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

s/d-

Assistant Registrar(CS-III)

True Copy

Sub-Assistant Registrar

To

1.The Principal Secretary to Government,
Municipal Administration and
Water Supply Department,
Secretariat, Fort St. George,
Chennai-9.

2.The Commissioner of Municipal Administration,
Chepauk, Chennai 600 005.

3.The Commissioner,
Thanjavur City Municipal Corporation,
Thanjavur.

+1 cc to Mr.S.Gunasekaran Additional Government Pleader
sr.26365

W.P. No.15074 of 2016

gjII(co)
aa31/05/2016



WEB COPY