

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15-06-2016

Coram

THE HON'BLE MR. JUSTICE B. RAJENDRAN

Writ Petition No.20143 of 2016

C.Choodesan

.. Petitioner

Vs.

1.The Director of Rural Development
and Panchayat Raj
Chennai-600 015.

2.The District Collector
Development Wing
Krishnagiri District.

3.The Panchayat Union Commissioner
Hosur Taluk, Harur
Dharmapuri District.

.. Respondents

Writ Petition filed under Article 226 of the constitution of India to issue a Writ of Mandamus, to direct the respondents to consider the claim of the petitioner for granting Selection Grade and the Special Grade in the post of Junior Assistant with effect from 28.10.2005 and 28.10.2015 and to grant annual increments from 01.10.1998 onwards till 01.10.2015 and to pass orders in the light of the representation, dated 07.03.2016, within a time frame and to pass such further orders as this Court may deem fit and proper in the circumstances of the case.

For Petitioner : Mr.R.Thamaraiselvan

For Respondents : Mr.Rajaperumal
Government Advocate
for R.1 and R.2
Mr.N.Roofus Abraham
for R.3

O R D E R

By consent, the Writ Petition is taken up and disposed of at the admission stage itself.

2. This Writ Petition has been filed to issue a Writ of Mandamus, to direct the respondents to consider the claim of

the petitioner for granting Selection Grade and the Special Grade in the post of Junior Assistant w.e.f. from 28.10.2005 and 28.10.2015 and to grant annual increments from 01.10.1998 onwards till 01.10.2015 and to pass orders in the light of the representation, dated 07.03.2016, within a time frame.

3. The petitioner entered into service as Junior Assistant, on 28.12.1995, in Panchayat Union Office, at Kelamangalam. The grievance of the petitioner is that though, he has completed 10 years of service on 28.10.2005 and 20 years of service on 28.10.2015, Selection Grade and Special Grade respectively in the said post of Junior Assistant were not awarded. In this regard, he has made representations to the 1st respondent, on 20.11.2015 and 07.03.2016. In that representations, he also sought to grant the pending annual increment and to permit him to proceed on voluntary retirement w.e.f. 30.06.2016. But, till date, there was no response and hence, he has filed the present Writ Petition.

4. Mr.R.Thamaraiselvan, the learned counsel for the petitioner would submit that the petitioner has made representations to the 1st respondent, on 20.11.2015 and 07.03.2016, to grant him the pending annual increment and to award him Selection Grade and Special Grade in the post of Junior Assistant w.e.f. 28.10.2005 and 28.10.2015 respectively and to permit him to proceed on voluntary retirement w.e.f. 30.06.2016, but, till date, there was no response and the said representations are now pending before the 1st respondent. He would further add that the petitioner would be satisfied, if the 1st respondent is directed to consider the representations of the petitioner, dated 20.11.2015 and 07.03.2016, and pass appropriate orders, on merits and in accordance with law.

5. Mr.Rajaperumal, the learned Government Advocate, who takes notice on behalf of the respondents 1 and 2, has got no serious objection in directing the 1st respondent to consider the representations of the petitioner and pass appropriate orders, on merits and in accordance with law.

6. Considering the above submissions, this Court, without going into the merits of the claim made by the petitioner, directs the 1st respondent to consider the representations of the petitioner, dated 20.11.2015 and 07.03.2016, and pass appropriate orders, on merits and in accordance with law, as expeditiously as possible. It is made clear that this Court has not expressed any opinion with regard to the merits of the claim made by the petitioner.

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

Sd/-
Asst.Registrar (CS IV)

/true copy/

Sub Asst. Registrar

paa

To

1.The Director of Rural Development
and Panchayat Raj
Chennai-600 015.

2.The District Collector
Development Wing
Krishnagiri District.

3.The Panchayat Union Commissioner
Hosur Taluk, Harur
Dharmapuri District.

1 cc to M/s.R. Thamariselvan, Advocate, Sr. 32705

1 cc to Government Pleader, Sr. 33133

W.P.No.20143 of 2016

MP (CO)
kk 30/6

सत्यमेव जयते

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