

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 25.01.2016

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.2488 of 2016

P.Sabapathi

... Petitioner

Vs

1. The Director,
Directorate of Rural Development and
Panchayat Raj Development,
Panagal Building,
Saidapet, Chennai-600 015.

2. The District Collector,
Namakkal District, Namakkal.

... Respondents

Prayer: The Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus directing the respondents to consider the petitioner's educational qualification i.e. Diploma in Civil Engineering obtained through Distance Education Mode for promotion to the post of Overseer / Junior Draughting Officer in the light of the order passed in WP.(MD) No. 8384 of 2015 dated 05.10.2015 and based on the joint representation dated 28.12.2015 within the time limit stipulated by this Court.

For Petitioner : Mr.G.Thalaimutharasu

For Respondent : Mr.M.L.Mahendren
Nos.1 & 2 Government Advocate

O R D E R

By consent, the writ petition is taken up for final disposal at the admission stage itself.

2. This writ petition is filed for issuance of writ of mandamus directing the respondents to consider the petitioner's educational qualification i.e. Diploma in Civil Engineering obtained through Distance Education Mode for promotion to the post of Overseer / Junior Draughting Officer in the light of the order passed in WP.(MD) No. 8384 of 2015 dated 05.10.2015 and based on the joint representation dated 28.12.2015.

3. The case of the petitioner is that he has completed 10th standard in the year 1988 and thereafter, completed I.T.I in Draughtsman (Civil) in the year 1993. Based on the educational qualification and employment seniority, he was appointed as Road Inspector, Grade - II, on 01.02.2007 in the Rural Development Department through employment exchange. His service was regularised with effect from 01.02.2007. Thereafter, he was promoted as Road Inspector, Grade - I, on 01.02.2012.

4. The petitioner would further state that he studied Diploma in Civil Engineering at Janardan Rai Nagar Rajasthan Vidyapeeth (Deemed) University through Distance Education Mode with proper permission from the respondents department and successfully completed the course in the year 2010. The petitioner would further claim that the University where she studied is a recognised one and the name of the institution is placed at Sl.No.140 of the list issued by the University Grants Commission.

5. The grievance of the petitioner is that his educational qualification was not taken into consideration and he was not promoted to the post of overseer / Junior Draughting Officer. In this regard, he made a joint representation dated 28.12.2015 to the second respondent. Since no order has been passed on the said representation, the present writ petition has been filed.

6. Heard the submission of Mr.G.Thalaimutharasu, learned counsel appearing for the petitioner and Mr.M.L.Mahendren, learned Government Advocate, who accepts notice on behalf of the respondents.

7. This Court, considering the submission of the learned counsel for the petitioner, without going into the merits of the case, directs the respondents to consider the joint representation of the petitioner dated 28.12.2015 and pass appropriate orders on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar(CS II)

//True Copy//

Sub Assistant Registrar

sms

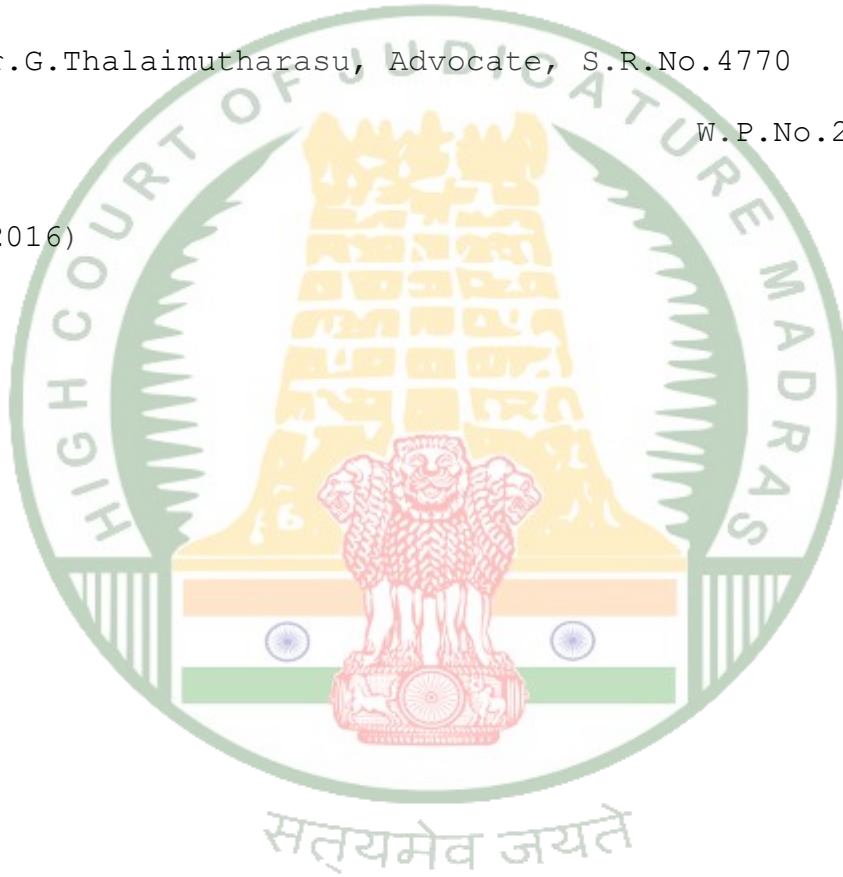
To

1. The Director,
Directorate of Rural Development and
Panchayat Raj Development,
Panagal Building,
Saidapet, Chennai-600 015.
2. The District Collector,
Namakkal District, Namakkal.

+1cc to Mr.G.Thalaimutharasu, Advocate, S.R.No.4770

W.P.No.2488 of 2016

VJI (CO)
CA(19/02/2016)



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