

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.08.2016

CORAM

THE HON'BLE MR. JUSTICE B.RAJENDRAN

W.P.No. 27878 of 2016

K.Elangovan

.. Petitioner

Vs.

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

2.The Director of Town Panchayats
Kuralagam
Chennai-108.

.. Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for a Writ of Mandamus, to direct the respondents to promote the petitioner to the post of Executive Officer Grade-I with effect from 2004-2005 and as Executive Officer Selection Grade from 2007-2008 in the light of the proceedings of the 2nd respondent, dated 12.07.2013.

For Petitioner : Mr.V.Vijay Shankar

For Respondents : Mr.R.V.Babu
Additional Government Pleader

O R D E R
सत्यमेव जयते

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 promote the petitioner to the post of Executive Officer Grade-I with effect from 2004-2005 and as Executive Officer Selection Grade from 2007-2008 in the light of the proceedings of the 2nd respondent, dated 12.07.2013.

3. The petitioner joined service as Bill Collector in Nanilam Town Panchayat on 02.02.1979. The petitioner was promoted as Executive Officer Grade-I, on 16.07.2007. He attained the age of superannuation on 31.08.2013. The grievance

of the petitioner is that inspite of the fact that O.A.No.2526 of 1990 & batch filed before the Tamilnadu Administrative Tribunal was disposed of by a common order, dated 02.04.1994, directing the respondents to recast the seniority of Executive Officer Grade throughout the State by taking into account the date of entry into Ministerial Service and the same was confirmed by Hon'ble Apex Court in 1997, the respondents have not taken steps to recast the seniority and they have issued a revised seniority list of Executive Officer throughout the State only on 12.07.2013, this has not only deprived the petitioner of his promotion as Executive Officer Grade-I and Executive Officer Selection Grade at the appropriate time, but also resulted in getting lesser pension and lesser terminal benefits. Hence, the present Writ Petition has been filed seeking the relief stated supra.

4. Mr.V.Vijay Shankar, the learned counsel for the petitioner would submit that the petitioner would be satisfied, if the respondents are directed to consider and dispose of the representation of the petitioner, dated 18.03.2016.

5. Mr.R.V.Babu, the learned Additional Government Pleader, who took notice on behalf of the respondents, has got no serious objection in directing the respondents to consider the representation of the petitioner and to pass appropriate orders, on merits and in accordance with law.

6. Considering the fact that the petitioner has restricted the relief sought for in the Writ Petition, this Court, without going into the merits of the claim made by the petitioner, directs the respondents to consider the representation of the petitioner, dated 18.03.2016, 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. There shall be no order as to costs.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

paa

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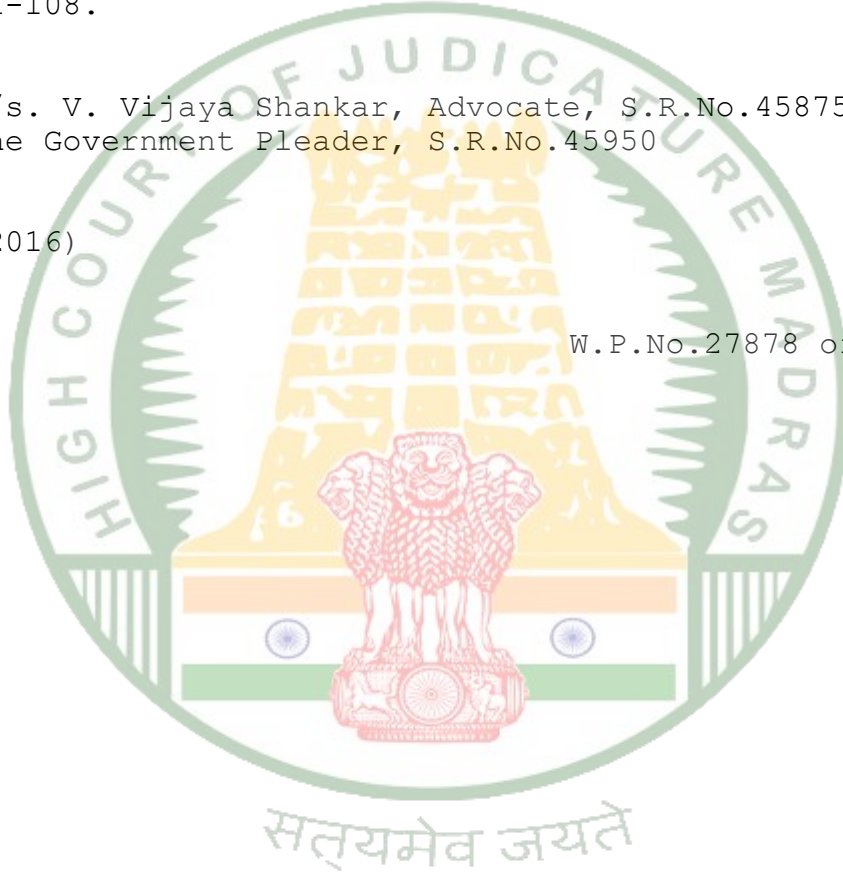
1.The Principal Secretary to Government of Tamilnadu
Municipal Administration and Water Supply Department
Fort St.George
Chennai-9.

2.The Director of Town Panchayats
Kuralagam
Chennai-108.

+1cc to M/s. V. Vijaya Shankar, Advocate, S.R.No.45875
+1cc to the Government Pleader, S.R.No.45950

RP(CO)
EU(07/09/2016)

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