

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.08.2016

CORAM:

THE HONOURABLE MR.JUSTICE B.RAJENDRAN

Writ Petition No.28099 of 2016

P.Chellappan

.. Petitioner

Versus

- 1.The Government of Tamil Nadu
Represented by its Secretary
Rural Development & Panchayat Raj Department
Fort St. George
Chennai- 600 009.
 2. The Commissioner of Rural Development
Office at Panagal Building
Saidapet
Chennai-600 015
 3. The District Collector
Namakkal District
 4. The Director of Local Fund Audit
Kuralagam Annexe, IV Floor,
Chennai-600 108.
- .. Respondents

Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the respondents to consider the representation dated 25.04.2016 submitted by the petitioner and pass orders thereon in the light of GO (Pa) No.37, Rural Development Department dated 29.01.2014.

For petitioner : Mr.P.Ganesan

For Respondents : Mr.P.Chinnadurai
Government Advocate

ORDER

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

2. The case of the petitioner is that he retired from service on 31.07.2014 as night watchman. He submitted a representation dated 25.04.2014 to the respondents seeking to extend the benefit of the order dated 24.08.2011 passed by this Court in W.P.No.19364 of 2007, so as to enable him to get his service regularized from 31.03.1994 as against 26.06.2000, thereby six years of his service can be taken into account for the purpose of payment of pensionary benefits. In response to his representation dated 25.04.2016, the third respondent has sent a communication dated 10.05.2016, stating that he ought to have sent the representation to the Government through proper channel. However, it is stated that necessary proposals will be forwarded to the Government. It is also submitted that based on the representation dated 25.04.2016, the third respondent has sent a proposal to the Government but so far no order has been passed by the Government. Hence, the petitioner has filed this Writ Petition seeking for the aforesaid relief.

3. Heard the learned Government Advocate, appearing for the respondents.

4. It is seen that in response to the representation of the petitioner dated 25.04.2015, the third respondent, by proceedings dated 10.05.2016, has stated that the representation has to be made through proper channel and the said fact has been averred in the affidavit filed in support of this petition.

5. In view of the same, the petitioner is directed to make a fresh representation through proper channel to the first respondent, within a period of two weeks from the date of receipt of a copy of this order and on receipt of the same, the first respondent shall consider the same and pass appropriate orders on merits and in accordance with law as expeditiously as possible.

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

Sd/-
Assistant Registrar(CCC)

//True Copy//

Sub Assistant Registrar

arr/rsh
To

1. The Secretary
The Government of Tamil Nadu
Rural Development & Panchayat Raj Department
Fort St. George
Chennai- 600 009.

2. The Commissioner of Rural Development
Office at Panagal Building
Saidapet
Chennai-600 015

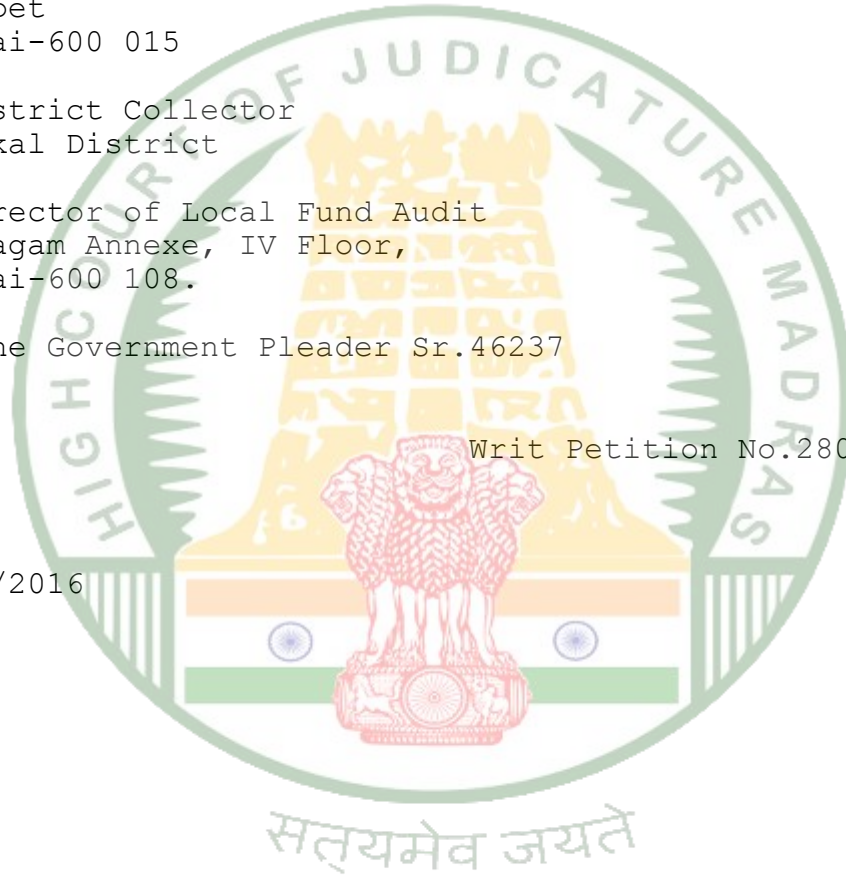
3. The District Collector
Namakkal District

4. The Director of Local Fund Audit
Kuralagam Annexe, IV Floor,
Chennai-600 108.

+1cc to the Government Pleader Sr.46237

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srg 15/09/2016



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