

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2016

CORAM:

THE HONOURABLE MR. JUSTICE R.SUBBIAH

W.P.No.31371 of 2016

and WMP.Nos.27218 and 27219 of 2016

R.Shanmugaraj .. Petitioner

vs.

1.Commissioner,
Greater Chennai Corporation,
Chennai-600 003.

2.Assistant Commissioner GAP
Greater Chennai Corporation,
Chennai-600 003.

3.Assistant Commissioner, Zone XII
Alandur, Greater Chennai Corporation,
Chennai-600 016.

4.Assistant Revenue Officer, Zone XII
Alandur, Greater Chennai Corporation,
Chennai-600 016.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the first respondent herein to consider the representation of the petitioner submitted on 29.08.2016 and promote him to the post of Licence Inspector, relaxing educational qualifications by including the name of the petitioner in the promotion panel prepared by the respondents.

For Petitioner : Mr.M.Gnanasekar

For Respondents : Mr.G.Anantharangan,
Standing Counsel for Chennai Corporation

O R D E R

This Writ Petition has been filed praying for issuance of a Writ of Mandamus directing the first respondent herein to consider the representation of the petitioner submitted on 29.08.2016 and promote him to the post of Licence Inspector, relaxing educational qualifications by including the name of the petitioner in the promotion panel prepared by the respondents.

2. The petitioner would state that he has passed S.S.L.C. and was appointed as Chainman on 01.08.1986 and was subsequently promoted as Tax Collector, Alandur Municipality, Chennai on 01.05.1991 and the Alandur Municipality was merged with Greater Chennai Corporation in the year 2011 and the petitioner continuing to work as Tax Collector Zone-12. The petitioner would further state that the next avenue of promotion to Tax Collector is Licence Inspector and the first respondent requested all the zonal officers to forward the list of employees who are eligible for promotion and the first respondent, by way of notification dated 06.07.2016 decided to promote Tax Collectors in the ratio of 1:1:1:3 viz., Tax collector of non-graduate with 8 years experience one person/Graduate Tax collector with 5 experience one person/Assistant of non-graduate with 3 years one person/Graduate Assistant three persons. The petitioner would also state that the first respondent, while promoting erstwhile Municipal employees gave educational relaxation and vide proceedings No. Po.Thu.Na.Ka.No.E5/16180/2012 dated 17.10.2012, promoted six assistants belonging to municipalities with condition that they should pass the account test for subordinate officers within two years. The petitioner, praying for similar relief, also made a representation to the first respondent on 27.07.2016 requesting that he should also be promoted with a condition that he shall pass the account test for Subordinate Officers Part-I and since no order has been passed on his representation, came forward with this writ petition.

3. Heard the submissions of Mr.M.Gnanasekar, learned counsel appearing for the petitioner, Mr.G.Anantharangan, learned Standing Counsel for the respondents 1 to 4 and also perused the materials placed before it.

4. This Court, without going into the merits of the claim projected by the petitioner, directs the first respondent to consider and dispose of the petitioner's representation dated 29.08.2016 in the light of the proceedings in No.Po.Thu.Na.Ka.No.E5/16180/2012 dated 17.10.2012 and pass orders within a period of four weeks from the date of receipt of a copy of this order. It is made clear that this Court is not

expressing any opinion on merits and it is for the respondents to decide purely on merits.

5. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petitions are closed.

Sd/-

Asst. Registrar.

/true copy/

Sub Asst. Registrar.

jvm

To

1. Commissioner,

Greater Chennai Corporation,
Chennai-600 003.

2. Assistant Commissioner GAP

Greater Chennai Corporation,
Chennai-600 016.

3. Assistant Commissioner, Zone XII

Alandur, Greater Chennai Corporation,
Chennai-600 106.

4. Assistant Revenue Officer, Zone XII

Alandur, Greater Chennai Corporation,
Chennai-600 106.

+1 CC to M/s. M. Gnana Sekar, Advocate, Sr.51768

W.P.No.31371 of 2016

RP (CO)

MD : 14/09/2016

सत्यमेव जयते

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