

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 19.09.2016

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THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.32686 of 2016 and

W.M.P.No.28317 of 2016

K.Madhavan Petitioner

vs.

The Commissioner of Municipal Administration,
Chepauk, Chennai-5. Respondent

Writ petition has been filed under Article 226 of the Constitution of India, praying for a Writ of mandamus, directing the respondent to consider the representation of the petitioner dated 03.06.2016.

For Petitioner : Mr.S.Ilamvaludhi

For Respondent : Mr.Srinivasan,
Additional Government Pleader

ORDER

By consent, the main writ petition itself is taken up for final disposal.

2. The petitioner has come up with the present writ petition for a mandamus, directing the respondent to consider the representation of the petitioner dated 03.06.2016.

3. The case of the petitioner is that he joined in the service of the respondent as Typist and further promoted as Assistant. Now, he is working as Accountant in the Office of Kumarapalayam Municipality. While so, the Additional Director of Municipal Administration sent a D.O.Letter to the Municipal Commissioner by his proceedings in Na.Ka.No.31764/2015/K1 dated 20.10.2015 in which a seniority list of Clause IV officers as on 01.10.2015 was published. In that Seniority List, the name of the petitioner was found placed in Sl.No.59 instead of Sl.No.28.

4. The further case of the petitioner is that while he was working in the office of the Gobichettipalayam, he has received the promotional order on 20.09.2013 and joined in the Office of Kumarapalayam on the same day. But in the list of Clause IV Officers Seniority proceedings issued by the respondent in Na.Ka.No.31764/2015/K1, the seniority of the petitioner has been assigned as Sl.No.60 and the date of joining in the said post was mentioned as Afternoon. Thereafter, the respondent promoted 20 persons to the post of Manager/Accountant/Revenue Officers by an order dated 27.03.2015. In this regard, the petitioner has given a representation to the respondent on 03.06.2016. Since the same has not been considered, the petitioner is before this Court with this Writ Petition.

5. I have heard the learned counsel appearing for the petitioner and the learned Additional Government Pleader, who has taken notice on behalf of the respondent.

6. Considering the limited prayer made in the Writ Petition, without going into the merits of the claim made by the petitioner, this Court directs the respondent to consider the representation of the petitioner dated 03.06.2016, 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. The writ petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is also closed.

-s/d-
Assistant Registrar

True Copy

Sub-Assistant Registrar

सत्यमेव जयते

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To
The Commissioner of Municipal Administration,
Chepauk, Chennai-5.

+1 cc to M/s.S.Ilamvaludhi Advocate sr 53384
+1 cc to Government Pleader sr 32686

W.P.No.32686 of 20156

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