

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.09.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.34316 of 2016

Ms.M.D.Hepsibha Jenika

... Petitioner

Vs.

1 The Secretary to Government of Tamil Nadu
Municipal Administration and Water Supply Department,
Fort St.George,
Chennai-9.

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

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the first respondent herein to pass orders on the proposal sent by the Executive Officer of Kunnathur town panchayat in Na.Ka.No.85/2014 dated 03.03.2014 within a stipulated period of time.

For Petitioner : Mr.V.Vijay Shankar
For Respondents : Mr.S.N.Parthasarathi
Government Advocate

O R D E R

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

2.The present writ petition has been filed seeking a Mandamus directing the first respondent herein to pass orders on the proposal sent by the Executive Officer of Kunnathur town panchayat in Na.Ka.No.85/2014 dated 03.03.2014 within a stipulated period of time.

3.The petitioner would state that pursuant to the request made by the Hulical Town Panchayat for sponsoring the names of eligible candidates for the post of Record Clerk, her name was sponsored by the District Employment Exchange and on being successful in the interview, she was selected and appointed as Record Clerk in the said Town Panchayat, vide proceedings of the Executive Officer dated 22.05.1996. Later, vide proceedings of the Assistant Director of Town Panchayats, Udagamandalam, dated 07.01.1997, she was promoted as Bill Collector in the year 1997 and was posted to Melur Town Panchayat. After serving in several Town Panchayats, she is currently discharging the duties as Bill Collector at Thirumurugan Poondi Town Panchayat, Tiruppur District.

4.The petitioner would further state that the first respondent issued G.O.Ms.No.147(MAWS (TP-1) Department) dated 5.10.2013, wherein similarly placed persons who were promoted as Bill Collector/

Junior Assistant, were regularised in the said post from the date of their actual promotion. However, the name of the petitioner was left out. Hence, the petitioner made representation to the first respondent through proper channel on 24.02.2014. Infact, a proposal was also sent to the first respondent on 03.03.2014 and the same is still pending with the first respondent. Since the persons who were promoted around the same time like the petitioner have got their service regularised in the promotional post, the petitioner alone is put to hardship as her service as Bill Collector has not been regularized. Hence, the petitioner has filed this writ petition for the above stated relief.

5. Heard the submissions of the learned counsel appearing for the petitioner and the learned Government Advocate who takes notice for the respondents.

6. Considering the submissions made on either side and without going into the merits of the same, this Court directs the first respondent to pass appropriate orders on the proposal sent by the Executive Officer of Kunnathur Town Panchayat in Na.Ka.No.85/2014 dated 03.03.2014, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

R.SUBBIAH,J.

pri

7.The writ petition is disposed of accordingly. No costs.

29.09.2016

pri

Index: Yes / No

Internet: Yes / No

To

- 1 The Secretary to Government of Tamil Nadu
Municipal Administration and Water Supply Department,
Fort St.George,
Chennai-9.
- 2 The Director of Town Panchayats,
Kuralagam, Chennai-108.

W.P.No.34316 of 2016

29.09.2016