

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20.10.2016

CORAM

THE HONOURABLE MR.JUSTICE R.SUBBIAH

W.P.No.36745 of 2016

R.Ravi

... Petitioner

Vs.

- 1 The Secretary to Government
Municipal Administration & Water Supply Department,
Fort St.George,
Chennai – 600 009.
 - 2 The Commissioner of Municipal Administration
Chepauk,
Chennai – 600 005.
 - 3 The Commissioner
Salem City Municipal Corporation,
Salem.
- ... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to consider and pass orders on the representation made by the petitioner dated 11.11.2015 and 24.08.2016 for posting him as Executive Engineer (Regular) in the 3rd respondent Corporation within a reasonable time.

For Petitioner	: Mr.M.Muthappan
For Respondents	: Mr.R.Venkatesh for R1 and R2 Government Advocate Ms.K.Bhuvaneswari for R3

ORDER

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

2.The present writ petition has been filed seeking a Mandamus directing the respondents to consider and pass orders on the representation made by the petitioner dated 11.11.2015 and 24.08.2016 for posting him as Executive Engineer (Regular) in the third respondent Corporation within a reasonable time.

3.The petitioner would state that he entered the service as a directly recruited Overseer in the Salem Municipal Corporation on 17.03.1983 through the selection conducted in accordance with the service rules. His seniority was fixed as early as on 03.07.1995 and he was promoted as Junior Engineer in the year 1995. He was further promoted as Assistant Executive Engineer on 03.07.1995 and was temporarily promoted as Executive Engineer.

4.The petitioner would further state that he became due for promotion as Executive Engineer by including his name in the panel for the year 2004, but his claim was overlooked on the ground that he was facing a disciplinary proceedings and he was also under suspension in respect of an enquiry conducted by the Vigilance and

Anti-Corruption Department. Thereafter, after several round of legal litigations, the petitioner was promoted as Executive Engineer (Schemes) instead of Executive Engineer (Regular). Aggrieved by the same, the petitioner made representations dated 11.11.2015 and 24.08.2016 to the respondents requesting to post him as Executive Engineer (Regular). But the same have not been considered. Hence, this petition.

5.Heard the submissions of the learned counsel appearing for the petitioner, learned Government Advocate who takes notice for the respondents 1 and 2 and the learned counsel who takes notice for the third respondent.

6.Considering the submissions made on either side and without going into the merits of the case, this Court directs the respondents to consider the petitioner's representations dated 11.11.2015 and 24.08.2016, on merits and in accordance with law and pass appropriate orders, within a period of six 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.

20.10.2016

pri

Index: Yes/ No

Internet: Yes/ No

To

- 1 The Secretary to Government
Municipal Administration & Water Supply Department,
Fort St.George,
Chennai – 600 009.
- 2 The Commissioner of Municipal Administration
Chepauk,
Chennai – 600 005.
- 3 The Commissioner
Salem City Municipal Corporation,
Salem.

W.P.No.36745 of 2016

20.10.2016