

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 01.12.2016

CORAM

THE HONOURABLE MR. JUSTICE R.SUBBIAH

Writ Petition No.42237 of 2016

R.Govindaraj

... Petitioner

Vs

The Director of Government
Examination,
College Road, Chennai-6.

... 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 petitioner's representation dated 19.10.2016 requesting for appointment by transfer as Junior Assistant.

For Petitioner : Mr.P.Rajendran
For Respondent : Mr.K.Dhananjayan,
Spl. Govt. 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 his representation dated 19.10.2016 requesting for appointment by transfer as Junior Assistant.

3. It is the case of the petitioner that presently, he is working as Record Clerk in the Office of the Regional Deputy Director of Government Examinations, Coimbatore. Initially, he was appointed as Office Assistant on 11.9.1989. In the year 2000, a panel was issued on 8.8.2000 for appointment by transfer to the post of Junior Assistant/Typist and in the said panel, he was placed at Sl.No.11. At that time, since there was a ban on appointment from 2001-2006, promotion was not given. Thereafter, though he is fully qualified for appointment to the post of

Junior Assistant, he was promoted as Record Clerk by transfer on 6.8.2008. Though his name was included in the panels for appointment by transfer to the post of Junior Assistant for the years 2012-2013 and 2013-2014, unfortunately, he was not given promotion. Now, he is due to retire from service on 31.1.2017. Hence, he submitted a representation dated 19.10.2016 to the respondent requesting him to appoint him as Junior Assistant by considering his case sympathetically. Since the same was not considered so far, left with no other alternative, the petitioner has come up with the present writ petition for the relief set out earlier.

4. I have heard the learned counsel appearing for the petitioner and the learned Special Government Pleader, who has taken notice on behalf of the respondents.

5. Considering the facts and circumstances of the case and considering the submissions made on either side, without going into the merits of the claim projected by the petitioner, this Court directs the petitioner to send a copy of the representation dated 19.10.2016, along with a copy of this order to the respondent within a period of one week from the date of receipt of a copy of this order and on receipt of the same, the respondent is directed to consider the said representation seeking appointment by transfer as Junior Assistant and pass appropriate orders, on merits and in accordance with law, within a period of three weeks thereafter. The writ petition is disposed of accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

सत्यमेव जयते Sub Assistant Registrar

To
The Director of Government
Examination,
College Road, Chennai-6.

+1cc to Mr.P. Rajendran, Advocate, S.R.No.71475
+1cc to the Government Pleader, S.R.No.71303

rj (CO)
md(30/12/2016)

W.P.No.42237 of 2016