

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :: 18-01-2016

CORAM

THE HONOURABLE MR.JUSTICE K.KALYANASUNDARAM

W.P.No.453 OF 2016

R.Sethupathy

...Petitioner

-vs-

1.The Secretary to Government,
Housing & Urban Development Department,
Fort St.George,
Chennai-9.

2.The Managing Director,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai-600 005.

...Respondents

Writ Petition under Article 226 of the Constitution of India, praying for issuance of a writ of mandamus, directing the second respondent to pass orders on the representation of the petitioner, dated 01.07.2015, in the light of the Government letter No.9439/SC2 (2)/2015-2, dated 29.10.2015, within a stipulated period.

For petitioner : Mr.S.M.Subramaniam

For respondent 1 : Mr.S.Gunasekaran

For respondent 2 : Mr.S.Prabhu

O R D E R

Petitioner has filed this Writ Petition, praying for a direction to the second respondent, to pass orders on his representation, dated 01.07.2015, in the light of the Government letter No.9439/SC2 (2)/2015-2, dated 29.10.2015.

2. According to the petitioner, he was appointed as an Assistant Engineer in the second respondent Board vide its proceedings, dated 30.03.1985, and joined the service on 10.04.1985; as per the Tamil Nadu Slum Clearance Board Engineering Officers Service Rules, 1972, the rank obtained in

the interview and communal rotation is to be followed for fixation of seniority; without following the said rule, the second respondent erroneously promoted one Rajasekaran, who is junior to him; in the said regard, he submitted a representation, dated 01.07.2015, to the second respondent, requesting to grant him notional promotion on par with his junior; and since no orders are passed on the said representation, this Writ Petition has been filed.

3. I have heard the learned counsel for the parties.

4. Considering the limited relief sought for in the Writ Petition, without going into the merits of the case, I direct the second respondent to dispose of the representation of the petitioner, dated 01.07.2015, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order.

5. Writ Petition is allowed, accordingly. No costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Government,
Housing & Urban Development Department,
Fort St.George,
Chennai-9.

2.The Managing Director,
Tamil Nadu Slum Clearance Board,
No.5, Kamarajar Salai,
Chennai-600 005.

+1cc to M/S.S.M.Subramaniam, Advocate, S.R.No.2709
+1cc to M/S.S.Prabhu, Advocate, S.R.No.3009

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ppa (CO)
srg (26/02/2016)