

In the High Court of Judicature at Madras

Dated: 11.03.2016

Coram:

The Honourable Mr.Justice T.RAJA

Writ Petition No.9184 of 2016

and

WMP.No.8189 of 2016

M.P.Selvaraj Petitioner

Versus

- 1 The Principal Secretary to Government,
Municipal Administration and
Water Supply Department, Fort St. George
Secretariat, Chennai-600 009.
- 2 The Director of Town Panchayats
Kuralagam Buildings, 4th Floor
Chennai-600 108.
- 3 The Executive Officer
Pallapalayam Town Panchayat
Erode District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Certiorarified Mandamus calling for the records of the 2nd respondent in Na.Ka.No.13341/2013/A7 dated 05.03.2015 and quash the same insofar as the petitioner is concerned and consequently, direct the 1st and 2nd respondents herein to forthwith include the name of the petitioner above P.S.Saravan in the seniority list of Executive Officer Grade-II / Assistant / Head Clerk in the panel year of 2008-09 and in the seniority list of Executive Officer Grade-I for the panel year of 2011-2012 below Mr.M.S.Ganesan at serial No.160 and above P.S.Saravan at serial No.161 by following para-6 of G.O.Ms.No.118 MAWS Department dated 21.08.2007.

For Petitioner .. Mr.N.Kolandaivelu
For Respondents 1 & 2 .. Mr.P.Chinnadurai
Government Advocate
For Respondent -3 .. Mr.A.Rajaperumal

ORDER

Mr.M.P.Selvaraj, the petitioner herein, challenging the impugned proceedings dated 05.03.2015 has filed the present Writ Petition to quash the same and put consequential relief.

2.When the matter is taken up, the learned counsel appearing for the petitioner, without going to the major relief as sought for, limited his prayer to the extent of seeking direction to the respondent to consider the pending representation of the petitioner, wherein he made a prayer to consider him also for promotion since his junior Mr.P.S.Saravan, who joined as Junior Assistant/Bill Collector on 19.01.1998, was given promotion as Executive Officer Grade-II / Assistant / Head Clerk, without considering the petitioner for promotion.

3.Mr.P.Chinnadurai, learned Government Advocate takes notice on behalf of the respondents 1 and 2 and Mr.A.Rajaperumal, learned counsel takes notice on behalf of third respondent.

4.Considering the fact that the petitioner is restricting his prayer to dispose of the pending representation, this Court hereby directs the first respondent to consider the pending representation of the petitioner on merits and in accordance with law, after affording an opportunity of personal hearing, if necessary, and in the light of paragraphs 5(b) and 6 of G.O.Ms.No.118, Municipal Administration and Water Supply Department dated 21.08.2007 and also without reference to the charge as that was issued subsequently, within a period of eight weeks from the date of receipt of a copy of this order.

5.The Writ Petition is disposed of accordingly. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

mra

To

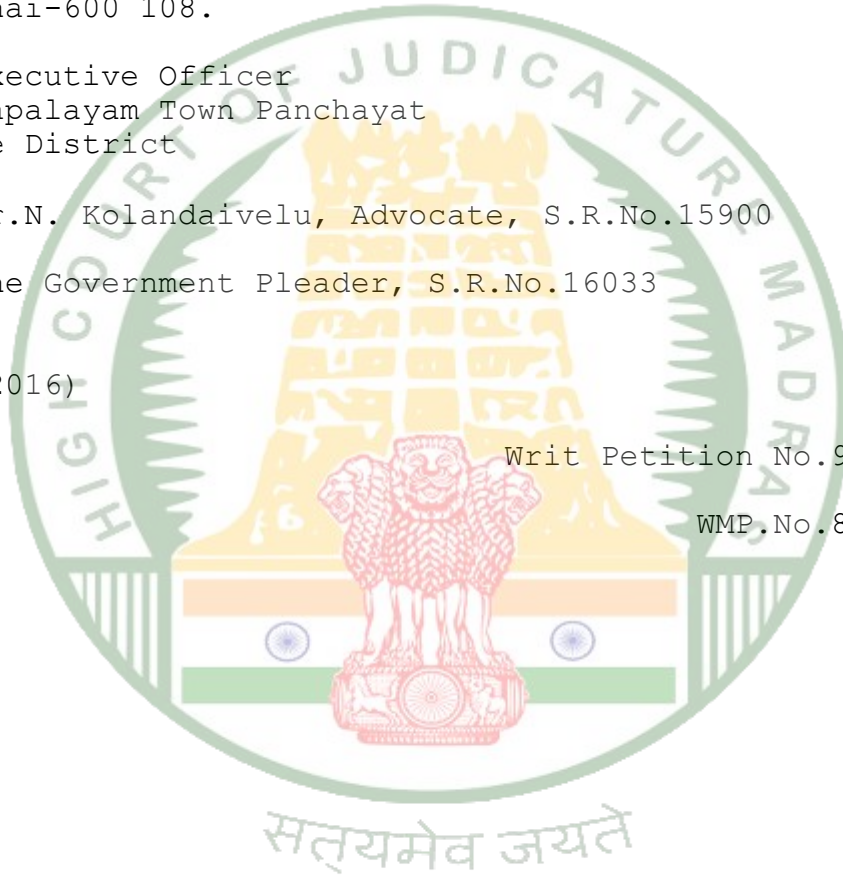
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+1cc to Mr.N. Kolandaivelu, Advocate, S.R.No.15900

+1cc to the Government Pleader, S.R.No.16033

GJ(CO)
EU(13/04/2016)

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