



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 22.09.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

W.P (MD) No.18027 of 2016

M.Ramasamy

... Petitioner

vs.

1)The State of Tamil Nadu,
Rep. by its Principal Secretary to Government,
School Education Department,
Fort St.George,
Chennai-9.

2)The Director of Public Libraries,
O/o. Directorate of Public Libraries Office,
No.731/1, Thevaneya Bhavanar Library Campus,
Annasalai,
Chennai-2.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 2nd respondent to reconsider the order passed in his proceedings in Na.Ka.No.9834/A3/2015 dated 12.02.2016 and to grant notional promotion as Inspector of Libraries/Grade-I Librarian right from the year 1992 as per the proceedings of the 2nd respondent in Na.Ka.No.14283/A1/2010-4 dated 10.02.2011 and consequentially to grant notional promotion District library Officer with all consequential monetary benefits within the period that may be stipulated by this Hon'ble court.

For Petitioner : Mr.C.Venkatesh Kumar

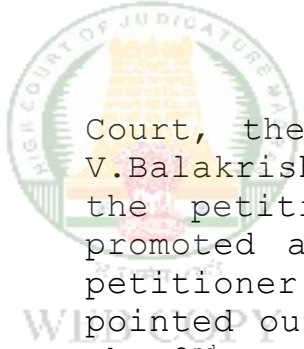
For Respondents : Mr.S.Kumar

Additional Government Pleader

ORDER

This Writ of Mandamus has been filed seeking a direction to the 2nd respondent to reconsider the order dated 12.02.2016 and to grant notional promotion to the petitioner as Inspector of Libraries/Grade-I Librarian right from the year 1992.

2.This Court by the order dated 25.11.2015 in W.P (MD) No.20945 of 2015 passed a direction to consider the representation of the petitioner and to pass orders. Based on the orders passed by this



Court, the case of the petitioner was considered along with one V.Balakrishnan. However, the 2nd respondent refused to consider the petitioner's case on the ground that V.Balakrishnan was promoted as District Library Officer on 28.09.2012, whereas the petitioner retired as early as on 30.06.2000. Later on, it was pointed out that the date of birth of Balakrishnan referred to by the 2nd respondent in the order dated 12.02.2016 was 19.05.1961 and that he was not the Balakrishnan mentioned by the petitioner in his representation. As there was a wrong consideration with reference to some other Balakrishnan, the petitioner sent a representation dated 07.03.2016 to the respondents and that the same did not evoke any response. Hence, the petitioner seeks this Writ of Mandamus.

3.The learned Additional Government Pleader appearing for the respondents would submit that it is agreeable for the respondents to consider the representation of the petitioner dated 07.03.2016 in the light of the mistake pointed out by the petitioner and to pass orders.

4.Under such circumstances, the respondents are directed to consider the representation of the petitioner dated 07.03.2016, in the light of the mistake pointed out by the petitioner and to pass appropriate orders within a period of eight weeks from the date of receipt of a copy of this order.

Accordingly, this Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar(Crl.side)

/True copy/

Sub Assistant Registrar

To

1)The Principal Secretary to Government,
State of Tamil Nadu,School Education Department,
Fort St.George,Chennai-9.

2)The Director of Public Libraries,
O/o. Directorate of Public Libraries Office,
No.731/1, Thevaneya Bhavanar Library Campus, Annasalai,
Chennai-2.

+1cc to Special Government Pleader SR.No.55156/23.9.16

+1cc to M/s.Ajmal Associates, SR.No.54617/22.9.16

nbi

sm:PV:24/10/2016:2P/5C