



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED : 11.11.2016

CORAM :

THE HONOURABLE DR.JUSTICE S.VIMALA

WEB COPY

W.P(MD)Nos.21588 and 21589 of 2016

S.Mayil Vahanan ... Petitioner in W.P.21588/16
V.Saravana Bhavanantham ... Petitioner in W.P.21589/16

vs.

1)The State of Tamil Nadu,
Rep. by its Principal Secretary,
Rural Development and Panchayat Raj Department,
Fort St.George,
Chennai-600 009.

2)The Commissioner,
Rural Development and Panchayat Raj Department,
Panagal Maaligai,
Saidapet,
Chennai-600 015.

3)The District Collector,
Pudukkottai,
Pudukkottai District.

... Respondents in both WPs

Petitions filed under Article 226 of the Constitution of India, praying for the issuance of a Writ of Mandamus, directing the 3rd respondent to consider and send the Proposal to the 1st and 2nd respondents to pass orders on the representation of the petitioner dated 22.02.2016 in the light of G.O.(1P)No.447, Rural Development and Panchayat Raj Department, dated 19.08.2015, passed by the 1st respondent within a time limit that may be specified by this Hon'ble Court.

For Petitioner(Both WPs) : M/S.K.Mahalakshmi

For Respondents(Both WPs) : Mr.T.S.Mohammed Mohideen

Additional Government Pleader

COMMON ORDER

These writ petitions have been filed, seeking for a direction to the the 3rd respondent to send the proposal to the respondents 1 and 2 to pass orders on the representations of the petitioners both dated 22.02.2016, in the light of G.O.(1P)No.447, Rural Development and Panchayat Raj Department, dated 19.08.2015, passed by the 1st respondent, within a time limit that may be specified by this Court.



2.The petitioners were appointed as Junior Assistants on compassionate grounds on 25.05.2007 and later, they were promoted as Assistants on 18.12.2014. On the other hand, their junior namely, one E.Sekar, who joined the service as Junior Assistant on 03.08.2007, was promoted as Assistant on 16.07.2010 and subsequently, promoted as Deputy Block Development Officer.

3.It is the grievance of the petitioners that their juniors are marching over and they are deprived of the promotional opportunities only on account of the delay in sending them to training. It is their further contention that the delay was caused not on account of their mistake, but on account of the administrative delay. Contending that in similar circumstances, when Mr.P.Kumar, approached this Court, by filing W.P.No.3544 of 2015, on the basis of the direction issued by this Court, the Government have issued G.O.(1P)No.447, Rural Development and Panchayat Raj Department, dated 19.08.2015, promoting the said P.Kumar, on par with his juniors. It is submitted that the petitioners, who are also similarly placed, should also be granted the same benefit. So stating, they made individual representations both dated 22.02.2016 to the 3rd respondent/District Collector. As the said representations were not considered, these writ petitions have been filed.

4.The learned Additional Government Pleader appearing for the respondents would submit that it is agreeable for the 3rd respondent to consider the representations of the petitioners dated 22.02.2016 and to pass orders.

5.Recording the above submission, the Writ Petitions are disposed of, directing the 3rd respondent to consider the individual representations of the petitioners dated 22.02.2016 in the light o G.O.(1P)No.447, Rural Development and Panchayat Raj Department, dated 19.08.2015, and to pass appropriate orders, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order. No costs.

Sd/-

Assistant Registrar(A.S)

/True copy/

Sub Assistant Registrar

To

1)The State of Tamil Nadu,
Rep. by its Principal Secretary,
Rural Development and Panchayat Raj Department,
Fort St.George,



2) The Commissioner,
Rural Development and Panchayat Raj Department,
Panagal Maaligai,
Saidapet,
Chennai-600 015.

WEB COPY

3) The District Collector,
Pudukkottai,
Pudukkottai District.

+1cc to Spl. Government Pleader, SR.No:68300

+2cc's to Mr.R.P.Ramachanthiran, Advocate in SR.No:68121 & 68120

nbi

AE/SV MMS/22.02.2017/3P/7C

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