



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 01.12.2016

C O R A M

THE HONOURABLE DR.JUSTICE S.VIMALA

Writ Petition (MD) No.23187 of 2016

P.Arjunan

... Petitioner

Vs.

1.The Commissioner of Municipal Administration,
Ezhilagam, chepauk, Chennai - 5.

2.The Regional Director of Municipal Administration,
294, Melakkal Main Road, Kochadai,
Madurai, Madurai District.

3.The Commissioner,
Palani Municipality,
Palani,
Dindigul District.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus directing the Respondents to consider petitioners representation dated 13.04.2016 on the basis of G.O.Ms.No.1499 of Labour and Employment Department dated 03.08.1989 and the G.O.No.123 dated 31.03.2006 of the 1st Respondent and direct the Respondents to appoint him in the grade post of not less than Junior Assistant as per his educational qualification within a time as stipulated by this Honble Court.

For petitioner

... Mr.D.Selvaraj

For R1 & R2

... Mr.A.Muthukaruppan

Additional Government Pleader

For R3

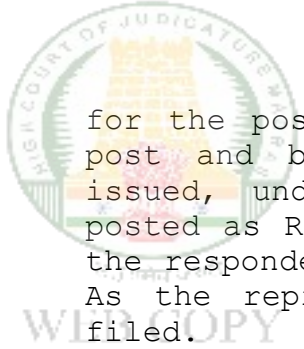
... Mr.G.Arjunan

O R D E R

This is a writ of Mandamus seeking direction to the Respondents to consider petitioner's representation, dated 13.04.2016 on the basis of G.O.Ms.No.1499, Labour and Employment Department, dated 03.08.1989 and the G.O.No.123, dated 31.03.2006 of the 1st Respondent and direct the Respondents to appoint him in the grade post of not less than Junior Assistant as per his educational qualification within a stipulated time.

2.Heard the learned counsel for the petitioner and the learned counsel for the respondents.

3.The petitioner in his representation dated 13.04.2016 has relied upon the G.O.Ms.No.1499, Labour and Employment Department, dated 03.08.1989, under which, there is a mandate that those who are eligible



for the post of Junior Assistant/Typist shall not be posted to a lower post and based on that, subsequent G.O.No.123, dated 31.03.2006 was issued, under which, one Guruvammal, who was a sanitary worker, was posted as Revenue Assistant. On par with the same, the petitioner wanted the respondent to consider his claim for appointment as Junior Assistant. As the representation is not considered, this writ petition has been filed.

4. Under such circumstances, the third respondent is directed to consider the representation of the petitioner, dated 13.04.2016 and to pass orders in the light of G.O.Ms.No.1499, Labour and Employment Department, dated 03.08.1989 and the G.O.No.123, dated 31.03.2006, within a period of six weeks from the date of receipt of a copy of this order.

5. With the above direction, the writ petition is disposed of. No costs.

Sd/-

Assistant Registrar (CO)

/True copy/

Sub Assistant Registrar

1. The Commissioner of Municipal Administration,
Ezhilagam, chepauk,
Chennai - 5.

2. The Regional Director of Municipal Administration,
294, Melakkal Main Road, Kochadai,
Madurai,
Madurai District.

3. The Commissioner,
Palani Municipality,
Palani,
Dindigul District.

+1 CC to M/s.G.ARJUNAN, Advocate, SR No. 78620

+1 CC to M/s.D.SELVARAJ, Advocate, SR No. 75017

RJ2

PSM/BS-MR/06.02.2017/2P/6C

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