



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:01.03.2016

CORAM:

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

W.P (MD)No.4143 of 2016

and

W.M.P (MD)No.3717 of 2016

M.Ganesan

... Petitioner

Vs.

1.Managing Director of the Regional Municipalities,
Tirunelveli District.

2.The Commissioner,
Ambasamudram Municipality,
Tirunelveli District.

... Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the respondents to appoint the petitioner as a Driver in Ambasamudram Municipality within the time stipulated by this Court.

For Petitioner	: Mr.R.Alagumani
For R-1	: Mr.G.Muthukannan
	Government Advocate
For R-2	: Mr.P.Athimoolapandian

ORDER

Mr.G.Muthukannan, learned Government Advocate takes notice for R-1 and Mr.P.Athimoolapandian, learned counsel takes notice for R-2.

2. By consent of parties, the main Writ Petition is taken up for final disposal.

3. The petitioner seeks for a Mandamus directing the respondents to appoint the petitioner as a Driver in the Ambasamudram Municipality within a stipulated time.

4. The case of the petitioner is that he was appointed as Sanitary Worker in the second respondent Municipality on 22.11.1997. He also got valid driving licence and authorised to drive heavy vehicles. Though he was appointed as Sanitary Worker, it is his case that his driving skills were utilized by the second respondent. One Murugan, who was similarly placed like the petitioner was promoted as Sanitary Supervisor in North Valliyur special grade town panchayat, Tirunelveli District. According to the petitioner, the Post of Driver is vacant in the second respondent Municipality and he has got necessary qualification for the same and he had been driving the vehicle for the second respondent. Therefore, the petitioner is seeking appointment as Driver in the second respondent



office in the existing vacancy. To that effect, he had also made a representation on 29.10.2015. As there is no response, the petitioner has come forward with the present Writ Petition for the above stated relief.

5. Considering the limited scope of the prayer made in this Writ Petition, without expressing any opinion on the merits of the claim made by the petitioner, the respondents are directed to consider the representation of the petitioner, dated 29.10.2015 and pass appropriate orders on the same, on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

With the above direction, the Writ Petition is disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(Crl.side)

/True copy/

Sub AssistantRegistrar

To

1.Managing Director of the Regional Municipalities,
Tirunelveli District.

2.The Commissioner,
Ambasamudram Municipality,
Tirunelveli District.

+1cc to M/s.R.Alagumani, Advocate SR.No.11760

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