



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.04.2016

CORAM :

WEB COPY

THE HONOURABLE MRS.JUSTICE PUSHPA SATHYANARAYANA

Writ Petition (MD) No.6872 of 2016

Arul Mudiappa Dass

... Petitioner

Vs.

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

2.The Commissioner,
Rural Development and
Panchayat Raj Department,
Panagal Building,
Saidapet, Chennai 15.

3.The District Collector,
Ramanathapuram District,
Ramanathapuram.

4.The Block Development Officer,
R.S.Mangalam Panchayat,
Ramanathapuram District.

... Respondents

Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus, directing the respondents 1 to 3 to pass orders on the petitioners representation dated 14.03.2016 within the time frame fixed by this Court.

For Petitioner : Mrs.J.Nisha Banu
For Respondents : Mr.V.Muruganandam,
Additional Government Pleader.

ORDER

The petitioner has come up with the above writ petition seeking issue of a writ of mandamus to direct the respondents 1 to 3 to pass orders on the petitioner's representation dated 14.03.2016.



2. Heard the learned counsel for the petitioner. Mr.V.Muruganandham, learned Additional Government Pleader takes notice for the respondents.

3. The petitioner was appointed as Junior Assistant on compassionate ground. Though the petitioner was appointed as Junior Assistant, his juniors, who joined service as Junior Assistant subsequent to the appointment of the petitioner, were promoted as Assistant earlier to him. Though the petitioner's juniors had marched over him and he was deprived of promotional opportunities in time, due to the delay in sending the petitioner to Bhavanisagar Training and hence, the petitioner gave a representation to the respondents, dated 14.03.2016. However, according to the petitioner, the respondents have not considered the representation given by the petitioner.

4. Learned counsel for the petitioner submitted that in similar circumstances in W.P.(MD)No.3544 of 2015, vide order dated 12.02.2015, this Court had directed the first respondent therein to consider the case of the petitioner in the light of the order in G.O.(2 pa) No.7, Rural Development and Panchayat Raj (pa.a-4), Department, dated 30.01.2012.

5. Having regard to the submissions made by the learned counsel on either side and also taking into consideration the limited prayer sought for in the writ petition, without expressing any opinion on the merits of the case, the writ petition is disposed of directing the first respondent to consider the representation of the petitioner, dated 14.03.2016 and pass orders, on merits and in accordance with law, within a period of eight weeks from the date of receipt of a copy of this order. No Costs.

Sd/-

Assistant Registrar (AS)

/True Copy/

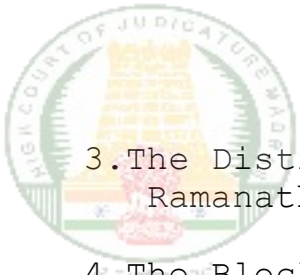
Sub Assistant Registrar

sms

To

1. The Principal Secretary, Government of Tamil Nadu,
Rural Development and Panchayat Raj Department,
Fort St., George, Secretariat, Chennai 600 009.

2. The Commissioner, Rural Development and
Panchayat Raj Department,
Panagal Building, Saidapet, Chennai 15.



3.The District Collector, Ramanathapuram District,
Ramanathapuram.

4.The Block Development Officer,
R.S.Mangalam Panchayat,
Ramanathapuram District.

+1CC to M/s.J.Nisha Banu Advocate Sr.No.20141
+1CC to Spl.Government Advocate Sr.No.20128

GJM/Sk/SKN/18.4.16-3p-7C

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