

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.02.2017

CORAM

THE HONOURABLE MR.JUSTICE M.SATHYANARAYANAN

W.P.No.4511 of 2017

S.Sivasankar

.. Petitioner

Vs.

1.The State of Tamil Nadu
rep.by its
Principal Secretary,
Rural Development and Panchayat Raj
Department, Secretariat,
Chennai - 600 009.

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

3. The District Collector,
Ariyalur, Ariyalur District.

...Respondents

Prayer: Petitions filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the 1st respondent to consider and pass orders on the representation of the petitioner dated 18.11.2016 in the light of Government orders in G.O.(2 Pa)No.7, Rural Development and Panchayat Raj (Pa.a-4) Department, dated 30.01.2012 and G.O.(1Pa).No.447, Rural Development and Panchayat Raj (Pa.a-4) Department, dated 19.08.2015 and G.O.(3D)No.83, Rural Development and Panchayat Raj (Pa.a-4) Department, Dated 28.10.2016 passed by the 1st respondent within a time limit that may be specified by this Hon'ble Court.

For Petitioner :: Mr.G. Elanchezhiyan
For Respondents :: Mr.P. Chinnadurai
Government Advocate

O R D E R

By consent, this writ petition is taken up for final disposal. Mr.P. Chinnadurai, learned Government Advocate accepts notice on behalf of the respondents.

2. The petitioner was appointed as a Junior Assistant on compassionate grounds on 24.12.2008 and posted to District Rural Development Agency, Ariyalur. The petitioner successfully completed the departmental tests in the year 2009 and also Bhavanisagar training on 13.02.2014. The petitioner would further submit that though he had completed departmental tests, as early as in the year 2009, he was not sent to Bhavanisagar Training in time and was only belatedly sent and he had also completed the same successfully. His probation was declared by issuance of G.O.(1D) No. 517 Rural Development and Panchayat Raj Department dated 27.11.2014. It is the claim of the petitioner that delay in sending him for training to Bhavanisagar has proved prejudicial to him and on account of the said delay, he has been deprived of his further chances of promotion and he is made to work under his juniors. The petitioner would further submit that he was promoted as Assistsant/Accountant only on 01.05.2015 whereas one of his juniors, who joined as Junior Assistant on 03.06.2009 at Ariyalur District, got promoted as Assistant on 23.12.2012 and further promoted as Deputy Block Development Officer on 14.11.2014.

3. Learned counsel for the petitioner would submit that in this regard, two persons, similarly placed, by name, P.Kumar and K. Saravanan, had filed W.P. Nos. 3544 & 3545 of 2015 respectively and positive orders came to be passed on 12.02.2015 and so also, in respect of Tvlg. K. Murugesan and Tmt. N. Arthi and orders have also been complied with, in respect of the aforesaid individuals, by issuance of G.O.(1Pa) No. 447, Rural Development and Panchayat Raj Department dated 19.08.2015, G.O. (2Pa) No. 23, Rural Development and Panchayat Raj Department dated 07.04.2016, G.O.(2Pa) No.7, Rural Development and Panchayat Raj Department dated 30.01.2012 and G.O.(3D) No. 83 Rural Development and Panchayat Raj Department dated 28.10.2016 respectively. The petitioner, in this regard, has already submitted a representation dated 25.11.2016 to the 1st respondent and despite receipt and acknowledgement, no orders have been passed and therefore, came forward to file the present writ petition.

4. This Court heard the submissions of Mr.P. Chinnadurai, learned Government Advocate for the respondents.

5. Though the petitioner prays for a larger relief, this Court, in the light of the above facts and circumstances and without going into the merits of the claim projected by the petitioner, directs the 1st respondent to consider the petitioner's representation dated 18.11.2016, in the light of the above cited Government Orders and pass appropriate 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. The writ petition is disposed of accordingly. No costs.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

To

1.The State of Tamil Nadu
rep.by its
Principal Secretary,
Rural Development and Panchayat Raj
Department, Secretariat,
Chennai - 600 009.

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

3.The District Collector,
Ariyalur, Ariyalur District.

+1cc to Government Pleader Sr. 12135/17

+1cc to Mr.G. Elanchezhian, Advocate Sr. 11943/17

W.P.No.4511 of 2017

AD(CO)
VR(14/02/2017)

सत्यमेव जयते

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