

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 28.02.2017

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

WP.No.4880/2017 & WMP.No.5195/2017

M.Samidurai

.. Petitioner

Versus

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

2.The Director of Rural Development
and Panchayat Raj, Saidapet,
Chennai 600015.

3.The District Collector
Salem.

.. Respondents

Writ petition filed under Article 226 of the Constitution of India praying for a writ of mandamus directing the 3rd respondent to promote the petitioner for the post of Deputy Block Development Officer with effect from 21.01.2017 with all service and monetary benefits within the time limit fixed by this Court.

For Petitioner : Mr.M.Vijayakumar

For Respondents : Mr.P.Chinnadurai, GA

ORDER

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

2 The petitioner at present is working as an Assistant/Accountant [General] and claims that he has rendered he has rendered hard, sincere and blemishless service to the satisfaction of the superior officers and not visited with any disciplinary proceedings or criminal prosecution. It is the claim of the petitioner that he is

fully qualified for the post of Deputy Block Development Officer and his name has also been included in the approved panel dated 22.04.2016. The grievance expressed by the petitioner is that despite the availability of vacancies, for effecting promotion to the petitioner to the said post, the 3rd respondent so far not taken any steps and in this regard, the petitioner has also submitted a representation dated 16.02.2017 through proper channel to the 3rd respondent and since no response is forthcoming, the petitioner came forward to file the present writ petition.

3 Mr.M.Vijayakumar, learned counsel for the petitioner would submit that in the light of the retirement vacancy is available and that the petitioner is also fully qualified for promotion to the said post, there cannot be any impediment on the part of the 3rd respondent to consider the petitioner's claim positively and since no steps have been taken in that regard, the petitioner is constrained to approach this Court.

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

5 Though the petitioner has prayed 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 3rd respondent to consider the representation dated 16.02.2017 submitted by the petitioner, on merits and in accordance with law, after putting on notice, the person/s concerned and pass appropriate orders within a period of six weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner as well as to the person/s concerned.

6 The writ petition stands disposed of with the above direction. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-
Asst.Registrar

/true copy/

Sub Asst. Registrar

AP

To

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

2.The Director of Rural Development
and Panchayat Raj, Saidapet,
Chennai 600015.

3.The District Collector
Salem.

+1cc to Government Pleader sr.13411

+1cc to Mr.M.Vijayakumar,Advocate sr.12961

WP.No.4880/2017

ss1(co)
ss(8/3/2017)



WEB COPY