

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 13.06.2017

CORAM:

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.14653 of 2017
and W.M.P.No.15898 of 2017

M.Lalitha

... Petitioner

Vs.

1. The State of Tamil Nadu,
Rep. By its Secretary to Government,
Municipal Administration & Water Supply Dept.
Fort St George, Chennai - 600 009.
2. The Commissioner of Municipal Administration,
Chepauk, Chennai - 600 005.
3. The Commissioner,
Salem City Municipal Corporation,
Salem 636 004.
4. Tmt.Kalaivani

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, to issue a writ of mandamus directing the official respondents to promote the petitioner as Executive Engineer (Planning) on the basis of the seniority in the existing vacancy in the 3rd respondent Corporation.

For Petitioner : Mr.M.Muthappan

For respondents : Mr.T.M.Pappiah,
Special Government Pleader for R1&R2
Mr.S.Diwakar for R3

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ORDER

The petitioner who entered the service of the respondents as Overseer in the Salem Municipality on 16.07.1983, was given promotion to the post of Junior Engineer on 18.01.1984. Subsequently, she was given promotion to the post of Assistant Executive Engineer on 25.05.2012 in Salem City Municipal Corporation-third respondent herein. While she was serving as

Assistant Executive Engineer, the Commissioner, Salem City Municipal Corporation, the third respondent herein under a wrong assumption that promotion to the post of Executive Engineer Planning would be from the Planning Department, has recommended the fourth respondent, although she is junior to the petitioner in the post of Assistant Executive Engineer as well as Junior Engineer /Assistant Engineer. After finding that the petitioner's junior -the fourth respondent has been recommended for the promotional post overlooking the case of the petitioner, she has given a representation. But the same has not been considered. Therefore, the petitioner has sought for a direction from this Court.

2. Mr.T.M.Pappiah, learned Special Government Pleader, taking notice on behalf of the 1st and 2nd respondents and Mr.S.Diwakar taking notice on behalf of the 3rd respondent, prayed for six weeks time to consider the petitioner's representation on merits.

3. Recording their statement, the respondents are directed to consider the petitioner's representation on merits and pass appropriate orders in accordance with law within a period of six weeks from the date of receipt of a copy of this order. The writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

maya/ss

To

1. The Secretary to Government,
Municipal Administration & Water Supply Dept.
Fort St George, Chennai - 600 009.
2. The Commissioner of Municipal Administration,
Chepauk, Chennai - 600 005.

3. The Commissioner,
Salem City Municipal Corporation,
Salem 636 004.

+1cc to Mr.M.Muthappan, Advocate, S.R.No.41904
+1cc to the Government Pleader, S.R.No.42213

W.P.No.14653 of 2017

PVS (CO)
CS/10/07/17



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