

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.02.2017

CORAM:

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.3851/2017

V.Natarajan

..

Petitioner

Vs

1. The Secretary to Government
Municipal Administration and
Water Supply Department,
Secretariat, Chennai 600 009.
2. The Commissioner of Municipal
Administration, Chepauk
Chennai 600 005.
3. The Commissioner
Salem City Municipal Corporation
Salem 636 440.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus directing the 1st respondent to pass appropriate orders on the representation of the petitioner dated 24.07.2015 within a reasonable period as may be fixed by this Court.

For Petitioner : Mr.T. Ranganathan
For R1&R2 : Mr.R.A.S.Senthilvel, AGP
For R3 : Mr.S.Diwakar,
Special Govt. Pleader

ORDER

By consent, the writ petition is taken up for final disposal. Mr.R.A.S.Senthilvel, learned Additional Government Pleader accepts notice on behalf of the respondents 1 and 2 and Mr.S.Diwakar, learned Special Government Pleader accepts notice on behalf of the 3rd respondent.

2 The petitioner was initially appointed as an Overseer in the services of the Namakkal Municipality and thereafter, on the request made by him, he was transferred to Salem City Municipal Corporation as per Resolution No.30 dated

30.06.1997. The petitioner joined the said post on 16.06.1999. It is further averred that as per the proceedings of the 3rd respondent dated 12.12.2000, seniority list of Assistant Engineers and Junior Engineers has been prepared, wherein the name of the petitioner was in Sl.No.17. The petitioner has submitted an Objection dated 19.01.2001, challenging his place in the seniority list on the ground that he was promoted as Junior Engineer on 21.02.1992, whereas the seniority was fixed based on the date of joining as Junior Engineer in Salem City Municipal Corporation during the year 1999.

3 The 3rd respondent has also forwarded a proposal to the 1st respondent on 15.05.2012 and it was returned on 12.06.2013 on the ground that it should be sent through the 2nd respondent. Accordingly, the 3rd respondent has sent a proposal in Na.Ka.No.C3/33133/2011 dated 27.01.2017 to the 1st respondent through the 2nd respondent and so far no orders have been passed and hence, the petitioner came forward to file the present writ petition.

4 Heard the learned counsel appearing for the petitioner ; Mr.R.A.S.Senthilvel, learned Additional Government Pleader appearing for the 1st respondent and Mr.S.Diwakar, learned Special Government Pleader appearing for the 3rd respondent.

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 2nd respondent to act on the proposal of the 3rd respondent in Na.Ka.No.C3/33133/2011 dated 27.01.2017 and forward the same to the 1st respondent within a period of six weeks from the date of receipt of a copy of this order and the 1st respondent, upon receipt of the same, is directed to consider the said proposal on merits and in accordance with law and pass appropriate orders within a further period of ten weeks thereafter and communicate the decision taken, to the petitioner as well as to the 3rd respondent herein.

6 The writ petition stands disposed of with the above direction. No costs.

s/d-
Assistant Registrar(CS-VIII)

True Copy

Sub-Assistant Registrar

To

1. The Secretary to Government
Municipal Administration and
Water Supply Department,
Secretariat, Chennai 600 009.

2. The Commissioner of Municipal
Administration, Chepauk
Chennai 600 005.

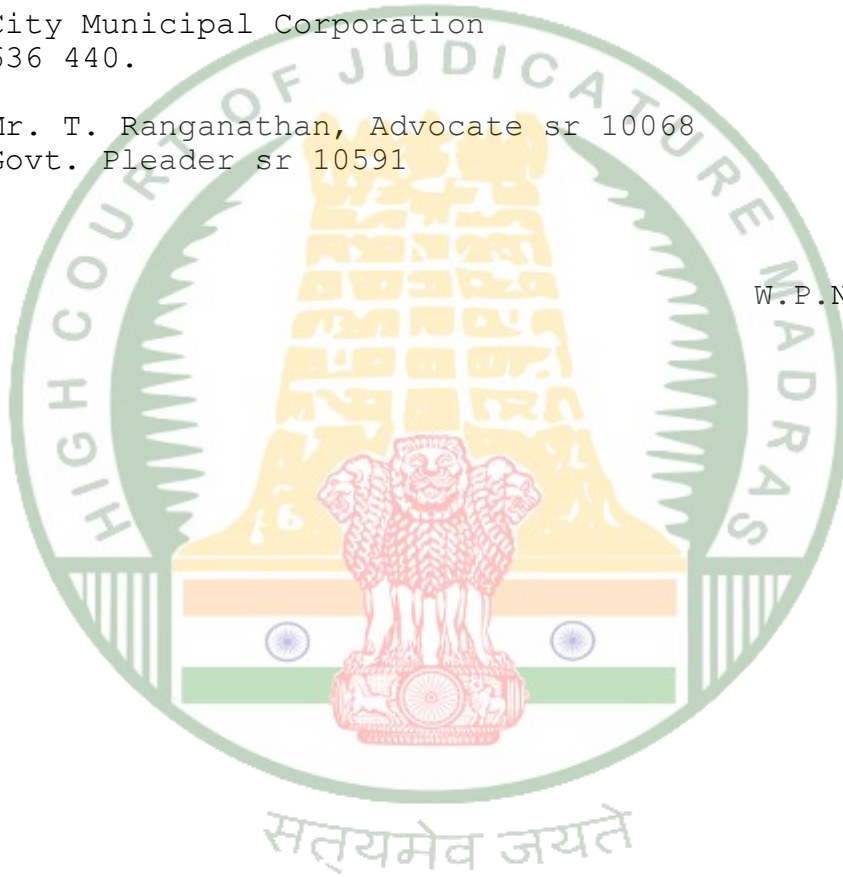
3. The Commissioner
Salem City Municipal Corporation
Salem 636 440.

+1 CC to Mr. T. Ranganathan, Advocate sr 10068

+1 CC to Govt. Pleader sr 10591

W.P.No.3851/2017

KJI (CO)
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