

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.02.2017

CORAM

THE HONOURABLE MR. JUSTICE M. SATHYANARAYANAN

W.P. No. 2910 of 2017

S. Saravanan

..Petitioner

Vs.

1. The State of Tamil Nadu, rep. by its Secretary to Government, 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, Karur, Karur District. ..Respondents

Prayer: Petition under Article 226 of the Constitution of India praying for issue of a Writ of Mandamus directing the 1st respondent to consider and pass orders on the representation of the petitioner dated 19.12.2016 with regard to promotion as Assistant on par with juniors 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 and G.O.(1.Pa) No.447, Rural Development and Panchayat Raj (Pa.a-4) Department dated 19.08.2015 passed by the 1st respondent within a time limit that may be specified by this Court.

For Petitioner :: Mr.G.Elanchezhiyan

For Respondents :: Mr.R.A.S. Senthilvel,
Addl. Govt. Pleader

O R D E R

By consent, the main writ petition itself is taken up for final disposal.

2. Mr. R.A.S. Senthilvel, learned Additional Government Pleader accepts notice on behalf of the respondents.

3. The petitioner was initially appointed as Junior Assistant on 11.09.2009 on compassionate grounds on account of demise of his father, who was employed as a Road Mazdoor. The petitioner joined service on 14.09.2009 and also completed departmental tests in the year 2011, but his service was not regularized and as such, he was not sent for training. Thereafter, the petitioner's service was regularized with effect from 14.09.2009 vide G.O.(3D) No.9, Rural Development and Panchayat Raj (E3) Department dated 10.01.2013 passed by the 1st respondent. Thereafter, the petitioner was sent to Bhavanisagar training and after successful completion of the same, during the year 2014, the petitioner was promoted as Assistant in the same year and at present, he is working in that capacity in Krishnarayapuram Panchayat Union, Karur District. The grievance of the petitioner is that the delay in regularization of his service and sending him for training has deprived him of his further chances of promotion and he is made to work below his juniors.

4. Learned counsel for the petitioner would submit that in similar facts and circumstances, one N. Arthi had approached this Court by filing W.P. NO. 2733 of 2011 praying for consideration of her representation 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 and G.O.(1.Pa) No.447, Rural Development and Panchayat Raj (Pa.a-4) Department dated 19.08.2015 and pass appropriate orders and the said writ petition was disposed of by this Court by order dated 27.01.2016 directing the first respondent to consider and dispose of the petitioner's representation, in the light of the above cited Government Orders. The said order was also complied with by issuance of G.O.(3D) No.83, Rural Development and Panchayat Raj Department dated 28.10.2016 and therefore, prays for appropriate orders.

5. This Court heard the submissions of Mr.R.A.S. Senthilvel, learned Additional Government Pleader appearing for the respondents.

6. 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 petitioner to submit a representation to the 3rd respondent, in the light of the above cited Government Orders, within a period of two weeks from the date of receipt of a copy of this order and upon receipt of the same, the 3rd respondent is directed to consider the same and forward necessary proposal, through proper channel, to the 1st respondent, within a period of eight weeks thereafter and the 1st respondent, on receipt of the proposal, is directed to consider the said proposal and pass appropriate orders, within a further

period of eight weeks thereafter and communicate the decision taken to the petitioner. The writ petition is disposed of accordingly. No costs.

s/d-
Assistant Registrar(CCC)

//True Copy//

Sub-Assistant Registrar

nv
To

1. Secretary to Government,
The State of Tamil Nadu, rep. by its
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,
Karur, Karur District.
- +1 CC to Mr. G. Elanchezhiyan, Advocate sr 7971
+1 CC to Govt. Pleader sr 8053

W.P. No. 2910 of 2017

SVI (CO)
sp/23/2

सत्यमेव जयते

WEB COPY