

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.01.2017

CORAM

THE HONOURABLE MR. JUSTICE M.SATHYANARAYANAN

W.P.No.44557/2016

Dr.Judith D.Silva

.. Petitioner

Vs

1. Government of Tamil Nadu,
rep by its Secretary,
Revenue Department,
Chennai-9.

2.The Director of Rural Development &
Panchayat Raj Department, Directorate
of Rural Development & Panchayat Raj
Department, Panagal Building,
Chennai-15.

.. Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of mandamus directing the respondents to consider the representation dated 28.11.2016 and appoint the petitioner to a post commensurate with her qualification and equivalent to the post held by her in Tsunami Project.

For Petitioner : Mr.R.Subramanian

For R1 & R2 : Mr.P.Sanjay Gandhi, AGP

ORDER

By consent, the writ petition is taken up for final disposal. Mr.P.Sanjay Gandhi, learned Additional Government Pleader accepts notice on behalf of the respondents 1 and 2.

2 The petitioner claims that she is a Ph.D holder [Sciences and Humanities] and also worked as Programme Officer in the Institute for Ocean Management in Anna University, Chennai, and during the Tsunami Period, she was posted as District Environmental Specialist and vide G.O.Ms.No.105 Revenue [DM-4[1]] Department, dated 26.02.2016, she was appointed to the post of Senior Factory Assistant in the Pay Band of 4800-10000 + GP 1300. The petitioner would further aver that persons similarly placed were given postings in the Pay Band 9300+4500 equivalent to the educational qualification. The petitioner, in this regard, submitted

representations dated 03.11.2016 and 28.11.2016 respectively, praying for accommodation in a post commensurate with her qualification and since it has not been considered, the petitioner came forward to file the present writ petition.

3 The learned counsel for the petitioner would submit that vide G.O.Ms.No.332, Revenue [EE4.1] Department dated 16.07.2010, the 1st respondent issued orders for absorbing employees who worked in Tsunami Project and since it was not implemented, WP.No.27360/2010 was filed wherein a direction was given to the petitioners therein to submit a joint representation and it was also submitted and thereafter, the 1st respondent, vide G.O.Ms.No.40 dated 08.05.2013, accepted the recommendations made by the Project Director, Tsunami Implementation Project, except the 4th recommendation. In spite of such a direction, the said Government Order was not implemented and therefore, two of the persons aggrieved, had filed Cont.P.No.575/2016 and only thereafter, the 1st respondent vide G.O.Ms.NO.105 dated 26.02.2016, issued appointment orders to the writ petitioners therein. It is the submission of the learned counsel for the petitioner that in the light of the said facts, the representation submitted by the petitioner may be given disposal as expeditiously as possible and prays for appropriate orders.

4 This Court heard the submissions of Mr.P.Sanjay Gandhi, learned Additional Government Pleader 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 same, directs the 2nd respondent to consider and dispose of the petitioner's representation date 28.11.2016 on merits and in accordance with law and pass orders within a period of eight weeks from the date of receipt of a copy of this order and communicate the decision taken, to the petitioner.

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

Sd/-

Asst.Registrar

/true copy/

Sub Asst. Registrar

AP

To

1.The Secretary
Government of Tamil Nadu
Revenue Department,
Chennai-9.

2.The Director of Rural Development &
Panchayat Raj Department, Directorate
of Rural Development & Panchayat Raj
Department, Panagal Building,
Chennai-15.

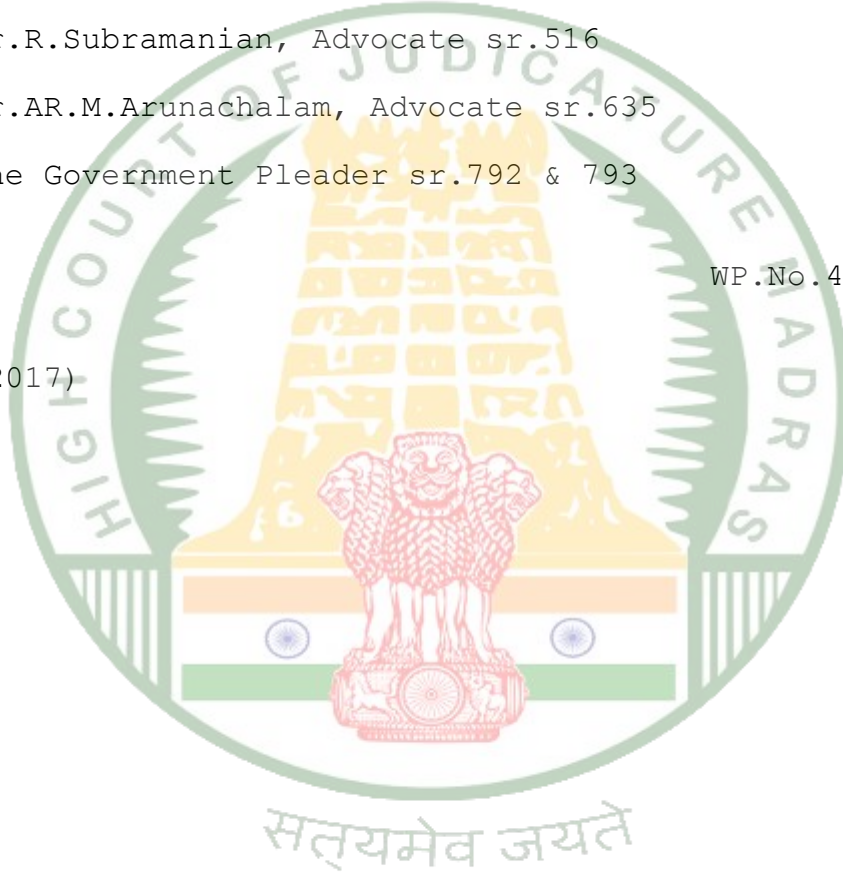
+1cc to Mr.R.Subramanian, Advocate sr.516

+1cc to Mr.AR.M.Arunachalam, Advocate sr.635

+2cc to The Government Pleader sr.792 & 793

WP.No.44557/2016

lrs(co)
ss(30/01/2017)



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