



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2017

CORAM:

THE HONOURABLE MR. JUSTICE T. RAJA

W.P (MD) No.13132 of 2017

WEB COPY

S.Karthik Kannan

... Petitioner

Vs.

- 1.The Government of Tamil Nadu
Rep. By its Principal Secretary,
Planning, Development and Special
Initiatives Department,
Fort St.George, Secretariat,
Chennai-600 009.
- 2.The Commissioner/Principal Secretary,
Department of Economics and Statistics,
D.M.S.Compound,
No.359, Anna Salai,
Chennai-600 006.
- 3.The Joint Director of Statistics
(Administration)
Department of Economics and Statistics,
D.M.S.Compound,
No.359, Anna Salai,
Chennai-600 006.
- 4.The Regional Joint Director of Statistics,
Madurai Region,
Bharathi Ula Salai,
Race Course Road,
Madurai-625 002.
- 5.Deputy Director of Statistics,
District Statistical Office,
Bharathi Ula Salai,
Race Course Road,
Madurai-625 002.

.. Respondents

PRAYER : Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the respondents 2 and 3 to pass orders on the petitioner's objection dated 08.03.2017 and include the petitioner's name in the seniority list for the promotion of Assistant Statistical Investigator, within the time frame fixed by this Court.

For Petitioner

: Mr.R.Subramanian

<https://hcservices.ecourt.gov.in/hcservices/>

For Respondents

: Mr.K.Guru

Additional Government Pleader

**ORDER**

The petitioner has come up with this writ petition seeking a direction, directing the respondents 2 and 3 to pass orders on his objection dated 08.03.2017 and include his name in the seniority list for the promotion of Assistant Statistical Investigator, within the stipulated time.

2. Heard Mr.R.Subramanian, learned counsel appearing for the petitioner and Mr.K.Guru, learned Additional Government Pleader appearing for the respondents.

3. By consent of both sides, this writ petition itself is taken up for final disposal.

4. The learned counsel appearing for the petitioner submitted that the petitioner was appointed as 'Typist' through the Tamil Nadu Public Service Commission and allotted him to the office of the second respondent on 06.12.2012. He further submitted that by order dated 01.03.2013, the third respondent posted the petitioner in the office of the fifth respondent and thereby, he joined the service on 06.03.2013 and thereafter his probation was also declared on 05.03.2015, due to which, he became eligible to be promoted as Assistant Statistical Investigator. Subsequently, the second respondent issued a combined seniority panel of Junior Assistants and Typists in his Proceedings No.3990/E2/2015 dated 15.07.2015, in which, his name was placed in Serial No.46. He further submitted that as the petitioner was fully eligible to be promoted as Assistant Statistical Investigator, he sent a representation dated 25.05.2016 to the second respondent through the fifth respondent. However, a proceedings in 53342/D1/2016, dated 24.02.2017 was issued to the petitioner to the effect that there was no eligible Junior Assistants/Typists are working in the Department for the promotion of Assistant Statistical investigator. After receiving the said proceedings, 10 days time has been granted to him to submit his objection/representation, if any, in this regard. Accordingly, the petitioner gave his objections on 08.03.2017 to the first respondent to consider the same and pass orders, as he is fully eligible.

5. The learned counsel appearing for the respondent sought for sufficient time to consider the objection of the petitioner.

6. In view of the said submissions, this Court finds no impediment to direct the respondent to consider the petitioner's objection.

7. In view of the above submissions, this Court directs the first respondents to consider the petitioner's objection dated 08.03.2017, within a period of ten days from the date of receipt of a copy of this order.



With the above direction, this writ petition is disposed of. No costs.

Sd/-

Assistant Registrar(AE)

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/True copy/

Sub Assistant Registrar

To

- 1.The Principal Secretary
Planning, Development and Special
Initiatives Department,
Fort St.George, Secretariat,
Chennai-600 009.
 - 2.The Commissioner/Principal Secretary,
Department of Economics and Statistics,
D.M.S.Compound,
No.359, Anna Salai,
Chennai-600 006.
 - 3.The Joint Director of Statistics
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Department of Economics and Statistics,
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 - 4.The Regional Joint Director of Statistics,
Madurai Region,
Bharathi Ula Salai,
Race Course Road,
Madurai-625 002.
 - 5.Deputy Director of Statistics,
District Statistical Office,
Bharathi Ula Salai,
Race Course Road,
Madurai-625 002.
- +1cc to Mr.R.Subramanian, Advocate,SR.66026
+1cc to M/s.Special Government Pleader,SR.66142

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17.07.2017

NS

KK/SKN RSK/SAR2-18.07.2017-3P-8C