



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 01.08.2017
CORAM
THE HONOURABLE MR.JUSTICE T.RAJA
W.P(MD)Nos.14287 to 14289 of 2017

WEB COPY

A.Subramanian ... Petitioner in W.P.No.14287/2017
M.Seetha ... Petitioner in W.P.No.14288/2017
K.Nirmala Devi ... Petitioner in W.P.No.14289/2017

-vs-

- 1.The State of Tamil Nadu
Rep. by its Principal Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai.
- 2.The Director,
Rural Development and Panchayat Raj Department
Panagal Salai,
Saidapet, Chennai
- 3.The District Collector,
Pudukottai District
Pudukottai. ... Respondents in W.P.No.14287/2017
- 4.The Block Development Officer,
Thirumayam Panchayat Union,
Pudukottai
Pudukottai District. ... Respondents in
W.P.Nos.14288&14289/2017

Common Prayer: Writ Petitions filed under Article 226 of Constitution of India, praying for issuance of a Writs of Mandamus, directing the respondents herein to promote the petitioners to the post of Assistant with effect from 25.09.2012 and to the post of Deputy Block Development Officer with effect from 23.08.2016 with all consequential and monetary benefits by placing the petitioners before their immediate junior by considering the representation of the petitioners dated 07.06.2017 & 05.06.2017 in the light of the proceedings of the respondent No.1 in G.O.(1D) No.447, Rural Development and Panchayat Raj (Pa-A-4) Department dated 19.08.2015.

For Petitioners in all W.Ps. : Mr.D.Sivaraman
For Respondents in all W.Ps. : Mr.D.Muruganandham
for R1 to R3 Additional Government Pleader

for R4 : Mr.C.Selvaraj
Special Government Pleader

final disposal.

2.The petitioners' were appointed as Assistants on 04.02.2009 and they were also sent to Bhavani Sagar training by the respondents, belatedly in December 2013, October 2015 and in the year 2014 respectively. After completing their training in January 2014, October 2015 and 2014 respectively, the third respondent District Collector, Pudukottai passed an order declaring completion of their probation with effect from 07.02.2011, 19.02.2011 and 06.2.2011 respectively on 24.02.2015. Citing a reason that the delay in sending the petitioners for training is only on the part of the Government, but not on the petitioners, the petitioners sought promotion to the post of Deputy Block Development Officer. However, they have not been considered and therefore, they have given representations to the respondents.

3. The grievance of the petitioners appears that the petitioners' junior one Mr.Krishnamoorthy, who was also appointed as Junior Assistant on 22.05.2009, having been promoted as Assistant on 25.09.2012, was given further promotion as Deputy Block Development Officer on 23.08.2016. In his case also, the delay has occurred on the part of the respondents in sending him to Bhavani Sagar and the probation was also declared belatedly.

4. In similar circumstances, the first respondent also issued G.O.(1D) 447 Rural Development and Panchayat Raj Department dated 19.08.2015, by permitting one Kumar ahead of his junior pursuant to the directions given by this Court on 12.02.2015 passed in W.P.No. 3544/2014. Therefore, the petitioners' representations may be directed to be considered as their case is also similarly placed.

5. The learned Additional Government Pleader, who takes notice for the respondents, sought sufficient time for considering the representations of the petitioners, in the light of G.O.(1D) No.447 dated 19.08.2015.

6. This Court, considering the limited scope and without going into the merits of the matter, directs the 3rd respondent to consider the petitioners' representations in the light of G.O.(1D) No. 447 dated 19.08.2015 preferably, before finalising the promotion to the post of Deputy Block Development Officer.

7.The writ petitions are disposed of with the above direction. No costs.

Sd/-
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1.The State of Tamil Nadu

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

Rep. by its Principal Secretary to Government,
Rural Development and Panchayat Raj Department,



Secretariat, Chennai.

2.The Director,
Rural Development and Panchayat Raj Department
Panagal Salai, Saidapet, Chennai

3.The District Collector,
Pudukottai District
Pudukottai.

4.The Block Development Officer,
Thirumayam Panchayat Union,
Pudukottai, Pudukottai District

+1cc to Special Government Pleader, SR.No. 69705
+3cc to M/S.D.Sivaraman, Advocate SR.No. 69129 to 69131

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01.08.2017

RR
JM/JC/SAR 1/10.08.2017/3P/9C