



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.02.2017

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WEB COPY

THE HON'BLE MR.JUSTICE S.VAIDYANATHAN

W.P. (MD) No.2953 of 2017

P.Kannan

... Petitioner

Vs.

1.The State of Tamil Nadu,
represented by its Secretary,
Municipal Administration and Water Supply Department,
Secretariat, Chennai.

2.The Directorate of Town Panchayats,
Office of the Directorate of Town Panchayats,
Fourth Floor, Kuralagam, Chennai - 108.

3.The Executive Officer,
Batlagundu Town Panchayat,
Batlagundu,
Dindigul District.

.. Respondents

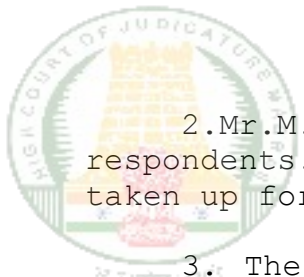
Prayer: Writ Petition filed under Article 226 of the Constitution of India for issuance of a writ of Mandamus, direct the respondents 1 and 2 to transfer/shift the Petitioner to any other post commensurate with his disability in the light of the order passed by the second respondent in his proceedings in G.O.Ms.No.280, Municipal Administration and Water Supply(நபு.2) Department dated 25.5.2000 in respect of the similarly placed persons like that of the Petitioner and by considering the Petitioner's representation dated 30.08.2016 within the time stipulated by this Court.

For Petitioner : Mr.C.Venkatesh Kumar
for M/s.Ajmal Associates

For Respondents : Mr.M.Rajarajan
Government Advocate

O R D E R

This Writ Petition has been filed, seeking a direction to the respondents 1 and 2 to transfer/shift the Petitioner to any other post commensurate with his disability in the light of the order passed by the second respondent in his proceedings in G.O.Ms.No.280, Municipal Administration and Water Supply(நபு.2) Department dated 25.5.2000 in respect of the similarly placed persons like that of the Petitioner and by considering the Petitioner's representation dated 30.08.2016 within the time stipulated by this Court.



2.Mr.M.Rajarajan, learned Government Advocate takes notice for the respondents. By consent of both parties, the Writ Petition itself is taken up for final disposal at the admission stage itself.

3. The case of the petitioner is that the Petitioner was appointed as Driver in third respondent/Panchayat on 03.10.2000 through Employment Exchange. After completing 17 years of unblemished service, as he was suffering from severe back pain, on the advise of the Doctor, since he was unable to discharge the duty as Driver, has submitted a representation on 30.8..2016 to the respondents herein to provide alternative employment as Junior Assistant and since the said representation did not evoke any response, the petitioner is before this Court with the relief stated supra.

4. The Learned Government Advocate for the respondents would submit that it is agreeable for the respondents to consider the representation of the petitioner and pass orders thereon.

5.In view of the submission, the first respondent is directed to consider the representation of the petitioner, dated 30.08.2016 in the light of G.O.Ms.No.280, Municipal Administration and Water Supply (Na.Pa.2) Department, dated 25.5.2000 and to pass appropriate orders on the same in accordance with law, within a period of two months from the date of receipt of copy of this order, if there is no no other legal impediment to do so. No costs.

6.With the above direction, the Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (R)

/True Copy/

Sub Assistant Registrar

vsn

To:

1.The Secretary, Government of Tamil Nadu,
Municipal Administration and Water Supply Department,
Secretariat, Chennai.

2.The Directorate of Town Panchayats,
Office of the Directorate of Town Panchayats,
Fourth Floor, Kuralagam, Chennai - 108.

3.The Executive Officer, Batlagundu Town Panchayat,
Batlagundu, Dindigul District.

+1CC to Spl.Government pleader Sr.No.9681

+1CC to M/S.Ajmal Associates, Sr.No.9556

GJM/BS/SAR-I-7.3.17-2p-6c

W.P. (MD) No.2953 of 2017
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