



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED 31.10.2017

CORAM

THE HONOURABLE MR.JUSTICE **K.KALYANASUNDARAM**

AND

THE HONOURABLE MRS.JUSTICE **V.BHAVANI SUBBAROYAN**

W.P.(MD)No.5789 of 2017

WEB COPY

S.Krishnarajan
S/o A.Sivabatha Sekara Pandian
Junior Assistant,
Family Court, Dindigul,
residing at
Indiranagar extension,
Chennamanaickanpatti,
Plot No.8, Shanmugapuram,
Dindigul - 624 004.

.. petitioner

Vs.

The Principal District Judge,
District Court,
Dindigul.

..Respondent

PRAYER: Writ Petition is filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus directing the respondent to consider the petition to refix the petitioner's seniority on the basis of his regularization of service with effect from 09.08.2006 forenoon and grant consequential benefits including promotion as per the said seniority.

For Petitioners : Mr.H.Lakshmi Shankar
For Respondent : Mr.T.S.Md.Mohideen A.G.P.,

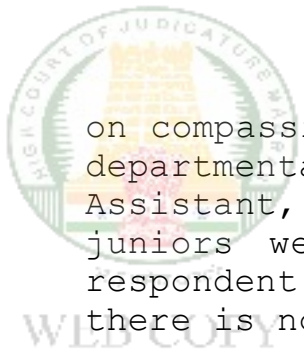
ORDER

[Order of the Court was delivered by **K.KALYANASUNDARAM, J**]

The petitioner seeks for issuance of a Writ of Mandamus directing the respondent to consider the petition to refix the petitioner's seniority on the basis of his regularization of service with effect from 09.08.2006 forenoon and grant consequential benefits including promotion as per the said seniority.

2.Heard Mr.H.Lakshmi Shankar, learned counsel appearing for the petitioner and Mr.T.S.Mohammed Mohideen learned Additional Government Pleader appearing for the respondent.

3.The case of the petitioner is that he was appointed as Junior Assistant in Sub Court, Dindigul from 09.08.2006 forenoon,



on compassionate ground. It is further stated that he has cleared departmental examinations and he was eligible to be promoted as Assistant, but without considering the case of the petitioner, his juniors were promoted. Hence, he gave representations to the respondent on 27.07.2015, 02.09.2015 and 02.03.2016. Till date, there is no response, hence, the present writ petition.

4.The learned Additional Government Pleader appearing for the respondent would submit that the representations of petitioner have to be considered on merits and in accordance with law.

5.Though the respondent has filed a counter affidavit disputing the case of the petitioner, since no order has been passed, this Court directs the respondent to consider the representations of the petitioner dated 27.07.2015, 02.09.2015 and 02.03.2016 and pass appropriate orders on merits and in accordance with law, after providing opportunity to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-
Assistant Registrar(AE)

/True Copy/

Sub Assistant Registrar

To

The Principal District Judge,
District Court,Dindigul.

+1cc to M/S.T.S.MOHAMED MOHIDEEN, Advocate SR.No.84525
+1cc to M/S.H.LAKSHMI SHANKAR, Advocate SR.No.84595

skn
MAS/KK/SAR1:14.11.2017:2P-4C

W.P. (MD) No.5789 of 2017
31.10.2017