

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.02.2018

CORAM

THE HONOURABLE MR.JUSTICE T.RAJA

W.P.No.4488 of 2018

R.Ganesan

... Petitioner

Vs.

1.The Director,
Rural Development and Panchayat Raj
Department, Panagal Maligai,
Saidapet, Chennai.

2.The District Collector,
Dharmapuri District.

... Respondents

Prayer : Petition filed under Article 226 of the Constitution of India, to issue a Writ of Mandamus, directing the first respondent herein to consider the appeal of the petitioner dated 21.12.2017 against the order of the second respondent dated 03.07.2017 in Na.Ka.No.17/2017/K2 considering the fact that the petitioner is ranked by considering the objections of the petitioner with respect to fixation of seniority based upon the rank assigned by the Tamil Nadu Public Service Commission, after hearing all the affected parties.

For Petitioner : Mrs.Dakshyani Reddy

For Respondents : Mr.V.Jayaprakash Narayanan
Special Government Pleader

ORDER

The petitioner was directly recruited as Junior Assistant through the Tamil Nadu Public Service Commission and joined the post at the Panchayat Union, Harur on 11.10.1994.

2. The learned counsel for the petitioner submitted that the petitioner's services were also regularized by the second respondent in proceedings in D.Dis.46422/95/K2, dated 26.05.1995 with effect from his initial date of appointment viz., 11.10.1994. After regularizing the service of the petitioner and others, an inter-se-Seniority list in the cadre of Junior Assistant/Rural Welfare Officer, Grade-II/Typist was prepared on 20.11.1995 showing the name of the petitioner in Serial No.368

and one of his junior, viz., M.Shakila at Serial No.382. But, suddenly after a long time, a fresh seniority list was prepared on 10.02.2016 by the District Collector, Dharmapuri, wrongly placing the said M.Shakila, who was shown in Serial No.382 at Serial No.18 and placing the petitioner below her at Serial No.25. Objecting the said placement, an appeal/objection was filed on 21.12.2017 before the first respondent. The same has not been considered. As the petitioner is apprehending loss of seniority, a direction is sought for early disposal of his objection.

3. Mr.V.Jayaprakash Narayanan, learned Special Government Pleader appearing for respondents sought for four weeks' time to consider the objection of the petitioner.

4. This Court, considering the limited prayer made by the petitioner, without going into the merits of the matter, directs the first respondent to consider the objection filed by the petitioner dated 21.12.2017 on merits and in accordance with law, within a period of four weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar(CS V)

//True Copy//

Sub Assistant Registrar

abr

To

1.The Director,
Rural Development and Panchayat Raj
Department, Panagal Maligai,
Saidapet, Chennai.

2.The District Collector,
Dharmapuri District.
+1cc to M/s.Dakshyani Reddy, Advocate, S.R.No.15428

+1cc to the Government Pleader, S.R.No.15906

W.P.No.4488 of 2018

RRK(21/03/2018)