

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 13.03.2018
CORAM

THE HON'BLE MR.JUSTICE T.RAJA

W.P.No.5590 of 2018
and WMP.No.6922 of 2018

P.S.Panneerselvam

... Petitioner

Vs.

1.Government of Tamil Nadu,
represented by the Principal Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai-600 009.

2.The Director,
Rural Development and Panchayat Raj,
Panagal Building, Saidapet,
Chennai-600 015.

3.The District Collector,
Villupuram District,
Villupuram.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus directing the second respondent to consider the proposals submitted by the 3rd respondent in Proceedings Na.Ka.No.P.a 4/9470/2013 dated 14.02.2018 and pass appropriate orders in the light of the ratio laid down by this Court in 2012 (1) MLJ 634 [W.P.No.16697 of 2007 dated 12.10.2011] and in accordance with the proviso to Section 40(2) of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016 and grant him all consequential benefits.

For Petitioner : M/s.M.Ravi

For Respondents : Mr.R.S.Selvam,
Government Advocate

O R D E R

This Writ Petition has been filed seeking a Writ of Mandamus directing the second respondent to consider the pending proposal submitted by the third respondent in Proceedings Na.Ka.No.P.a 4/9470/2013 dated 14.02.2018 and pass appropriate orders in the light of ratio laid down by this Court in 2012 (1) MLJ 634 [W.P.No.16697 of 2007 dated 12.10.2011] and in

accordance with the proviso to Section 40(2) of the Tamil Nadu Government Servants (Conditions of Service) Act, 2016 and grant him all consequential benefits.

2. It is the claim of the petitioner that the District Collector, Villupuram/third respondent herein, vide proceedings dated 14.02.2018, has submitted a proposal to the Director of Rural Development and Panchayat Raj Department/second respondent herein to place the petitioner at Sl.No.27(a) in the list of Deputy Block Development Officer as on 01.01.2016; at Sl.No.25 (a) in the list of Deputy Block Development Officer as on 01.01.2017 and at Sl.No.5(a) in the list of Deputy Block Development Officer as on 01.01.2018. The learned counsel appearing for the petitioner has submitted that since promotion to the post of Block Development Officer is going to take place shortly, the proposal submitted by the third respondent to the second respondent may be directed to be considered at the earliest point of time.

3. Mr.R.S.Selvam, learned Government Advocate appearing for the respondents has submitted that rule relaxation has been sought for, which shall be done only by the first respondent viz., Principal Secretary to Government, Rural Development and Panchayat Raj Department, Secretariat, Chennai-600 009.

4. Therefore, the second respondent, who has received the proposal from the third respondent, is directed to do the needful and if he is of the view that the first respondent has to pass final orders, he shall forward the proposal to the first respondent within a period of four weeks from the date of receipt of a copy of this order and upon receipt of the same, the first respondent shall pass final orders within a period of four weeks thereafter.

5. This Writ Petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

jvm

Sd/-

Assistant Registrar (CS VI)

/TRUE COPY/

Sub-Assistant Registrar

To

- 1.The Principal Secretary to Government,
Government of Tamil Nadu,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai-600 009.
- 2.The Director,
Rural Development and Panchayat Raj,
Panagal Building, Saidapet,
Chennai-600 015.
- 3.The District Collector,
Villupuram District, Villupuram.

+1CC to the Govt Pleader SR.NO.19249
+1CC to MR.M.RAVI Advocate SR.NO.19009

W.P.No.5590 of 2018

MK:26/03/2018



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