

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :23.08.2018

CORAM

THE HON'BLE MR.JUSTICE S.M.SUBRAMANIAM

W.P.No.2408 of 2018

N.Kural Venthan

..Petitioner

vs

1.The State of Tamil Nadu rep.by its
Principal Secretary,
Rural Development and Panchayat Raj
Department, Secretariat,
Chennai - 600 009.

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

3.The District Collector,
Thiruvavur,
Thiruvavur.

..Respondents

Prayer:

Writ petition filed under Article 226 of the Constitution of India, praying for the issuance of Writ of Mandamus, directing the 1st respondent to consider and pass orders on the representation of the petitioner dated 21.09.2015 with regard to promotion on par with juniors in the light of the order in G.O. (2 Pa).No.7, Rural Development and Panchayat Raj (Pa.a-4) Department, dated 30.01.2012 and G.O.(1Pa).No.447, Rural Development and Panchayat (Pa.a-4) Department dated 19.08.2015 and G.O.(3D).No.83, Rural Development and Panchayat Raj(Pa.a-4) Department dated 28.10.2016 passed by the 1st respondent.

For Petitioner : Mr.G.Elanchezhiyan

For Respondents : M/s.A.Srijayanthi, Spl GP

O R D E R

The relief sought for in this writ petition is for a direction to direct the 1st respondent to consider and pass orders on the representation of the petitioner dated 21.09.2015 with regard to promotion on par with his juniors.

2.The learned counsel appearing on behalf of the writ petitioner, relying on the counter affidavit filed by the District Collector, Thiruvavur, has stated that the case of the writ petitioner has been recommended and the orders from the Government is awaited. The said statement has been made by the respondents in paragraph 13 of the counter affidavit, which reads as follows:

"13.Regarding the averments in ground 'c' and 'd' of the affidavit of the petitioner, it is submitted that as already stated above, the request of the petitioner made in his representation dated 21.09.2015 was partly complied with and the name of the petitioner was included in the seniority list of Assistant on 01.03.2010 on par with his junior Mr.A.Tamilselvan as per the orders of the 3rd respondent proceedings Rc.No.5193/2015/A5 dated 15.06.2017. Regarding the next level promotion as Deputy Block Development is concerned, necessary proposal was sent to the Government vide letter No.Rc.5193/2015/A5(D) dated 15.6.2017 and 7.12.2017. It is submitted that the orders of the Government is awaited. It therefore submitted that the request of the petitioner will be fully complied with as soon as the Government order is received."

3.In view of the fact that the matter is pending before the Government, the 1st respondent is directed to consider the representation and the relevant files in this regard and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order. The writ petitioner is also directed to sent a copy of the representation and the documents if any, to the respondents along with the order passed in this writ petition.

4.Accordingly, the writ petition stands disposed of. However, there shall be no order as to costs.

Sd/-

Assistant Registrar(CS IX)

//True Copy//

Sub Assistant Registrar

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To

1.The State of Tamil Nadu rep.by its
Principal Secretary,
Rural Development and Panchayat Raj
Department, Secretariat,
Chennai - 600 009.

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

3.The District Collector,
Thiruvarur,
Thiruvarur.

+lcc to Mr.G.Elanchezhiyan, Advocate, S.R.No.57793
+lcc to the Government Pleader, S.R.No.57875

W.P.No.2408 of 2018

PVS (CO)
CS/11/09/18



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