

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 18.04.2018
CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.13393 of 2006
And
W.P.No.12448 of 2007
(O.A.No.469 of 2002)

W.P.No.13393 of 2006:

M.Jayamani

... Petitioner

Vs.

1.The Director of Rural Development,
Chennai - 600 005.

2.The District Collector,
Namakkal District,
Namakkal.

3.Tmt.J.Kothai Madheswari

... Respondents

Prayer:

Petition filed under Article 226 of the Constitution of India to issue a Writ of Certiorarified Mandamus calling for the records of the second respondent relating to (1) Roc.no.W1/18252/2005-2 dated 17.06.2005; (2) Na.Ka.No.Ni.1/18252/2005 dated 11.01.2006, quash the same and issue consequential directions to the respondents 1 and 2 (i) to include the name of the petitioner in the panel for the year 2005-2006 for promotion as Deputy Block Development Officer in the appropriate place therein above the name of the third respondent and (ii) to promote the petitioner as Deputy Block Development officer with consequential service and monetary benefits such as refixation of seniority of the petitioner in the cadre of Deputy Block Development officer on that basis and consider her name for inclusion in the ensuing panel for promotion as Block Development Officer.

For Petitioner : Mr.M.Ravi

For Respondents: Mr.R.Govindasamy for R1 and R2
Special Government Pleader

W.P.No.12448 of 2007:
(O.A.No.469 of 2002)

M.Jayamani

... Petitioner

Vs.

1.The Director of Rural Development,
Panagal Building,
Saidapet, Chennai - 600 015.

2.The District Collector,
Salem District,
Salem.

3.The District Collector,
Namakkal District,
Namakkal.

4.Tmt.J.Kothai Madeswari

5.The Personal Assistant
to the District Collector,
(Panchayat Developments) Salem. ... Respondents

Prayer:

The Original Application No.469 of 2002 was filed before the Tamil Nadu Administrative Tribunal praying to call for the records of (1) Mu.Mu.No.87507/2000/Ni.3, dated 12.02.2001 of the 5th respondent and (2) O.Mu.No.28759/2001/Ni.3, dated 16.04.2001 of the 2nd respondent, quash the same and issue directions to the 2nd respondent to refix the seniority of the Applicant in the post of Junior Assistant/Rural Welfare Officer, Grade II, in the seniority approved by the 5th respondent, in Pro.78843/91/Ni.3 (1), dated 26/09/1991 by placing her name above Tmt.J.Kothaimadeswari (Sl.No.502) and below Thiru.V.Maslamani (Sl.No.501) therein and consequently revise her seniority in the post of Assistant and Extension Officer and to include her name in the ensuing panel for promotion as Deputy Block Development Officer and promote her as such. The same was transferred to the file of this Court and renumbered as W.P.No.12448 of 2007.

For Petitioner : Mr.M.Ravi

For Respondents: Mr.R.Govindasamy for R1 to R3 and R5
Special Government Pleader

C O M M O N O R D E R

Though the petitioner has prayed for a larger relief in these writ petitions, the learned counsel appearing for the

petitioner now submits that if this Court permits the petitioner to send a fresh representation to the respondents and direct the respondents to consider the same and pass suitable orders, it would suffice.

2.The Original Application has been filed before the Tribunal in the year 2002 and the writ petition is of the year 2006. At the time of filing the writ petition, the petitioner was 53 years old and now the petitioner may have retired from service. If the petitioner is permitted to send fresh representation and if any favourable order is passed on the said representation, then the petitioner may get revised pension.

3.Hence, considering the limited scope of the prayer sought for by the petitioner and without going into the merits of the case, this Court permits the petitioner to send a fresh representation along with relevant materials to enable the Authorities to consider the same. The petitioner shall send the representation to the respondents within a period of two weeks from the date of receipt of a copy of this order and on receipt of such representation, the respondents shall consider the same and pass appropriate orders within a period of twelve weeks thereafter. The writ petitions are disposed of accordingly. No costs.

Sd/-

Assistant Registrar (CS V)

//True copy//

Sub Assistant Registrar

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To

1.The Director of Rural Development,
Chennai - 600 005.

2.The District Collector,
Namakkal District,
Namakkal.

3.The Director of Rural Development,
Panagal Building,
Saidapet, Chennai - 600 015.

4.The District Collector,
Salem District,
Salem.

5.The Personal Assistant
to the District Collector,
(Panchayat Developments) Salem.

+1cc to Mr.M.Ravi, Advocate SR.No.29003

W.P.No.13393 of 2006
And
W.P.No.12448 of 2007
(O.A.No.469 of 2002)

KAN (CO)
GN (15/05/2018)



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