



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 02.08.2018

CORAM :

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD) No.17258 of 2018

M.Inbajothi

... Petitioner

Vs.

1.The Commissioner,  
Adi Dravidar Welfare Department,  
Chepakkam, Chennai.

2.The District Adi Dravidar Welfare Officer,  
Thanjavur, Thanjavur District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 04.07.2018 submitted in regard of grant of service and monetary benefits by treating as B.T.Assistant service period from the year 2008 till 2017.

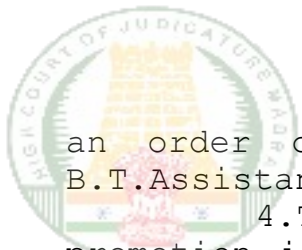
For Petitioner : Mr.R.Krishnamoorthy  
Asst. by C.Prakasam  
For Respondents : Mrs.S.Srimathy  
Special Government Pleader

#### ORDER

The prayer sought for herein is for a writ of mandamus, directing the respondents to consider the petitioner's representation dated 04.07.2018 submitted in regard of grant of service and monetary benefits by treating B.T.Assistant service period from the year 2008 till 2017.

2.Heard Mr.R.Krishnamoorthy, learned counsel appearing for the petitioner and Mrs.S.Srimathy, learned Special Government Pleader appearing for the respondent.

3. The petitioner had been appointed as Secondary Grade Teacher on 14.02.1998 at Adi Dravidar Welfare Elementary School, Aandivayal, Pattukkottai Taluk, Thanjavur District. Before he joined service, he acquired qualification M.A.,B.ED., Therefore, in that capacity as well as the seniority, he sought for promotion to the post of B.T. Assistant. In this regard, the petitioner filed a writ petition in W.P.(MD)No.1170 of 2017, where, an order has been passed by this court on 25.01.2017, directing to consider the request of the petitioner for promotion, accordingly, the second respondent passed



an order on 16.08.2017, giving promotion to the petitioner as B.T.Assistant.

4.The grievance of the petitioner is that, even though the promotion is given as B.T.Assistant, such promotion could have been given from 2008 onwards. Therefore, the said promotion as B.T.Assistant can be given retrospectively from 2008, atleast, for the purpose of pensionary benefits. Hence, in this regard, the petitioner has given a representation on 04.07.2018 to the respondents and the learned counsel appearing for the petitioner would submit that if the said representation of the petitioner is directed to be considered and an order to that effect is directed to be passed on merits, the petitioner would be satisfied.

5.I have heard Mrs.Srimathy, learned Special Government Pleader appearing for the respondents, who would submit that, the said representation of the petitioner, dated 04.07.2018 would be considered on merits and an order to that effect would be passed within a time frame that may be stipulated by this Court.

6.Considering the limited scope of the writ petition, this Court is inclined to pass the following order:-

*"that the respondents are directed to consider the representation of the petitioner, dated 04.07.2018, with regard to his grievance of notional promotion for the purpose of continuity of service for pensionary benefits from 2008 onwards and pass orders thereon, within a period of six weeks from the date of receipt of a copy of this order."*

7.With this direction, this writ petition is disposed of.  
No costs.

SD  
ASSISTANT REGISTRAR ( CRL SIDE )

TRUE COPY

SUB ASSISTANT REGISTRAR (CS II)

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To

1.The Commissioner,

Adi Dravidar Welfare Department, Chepakkam, Chennai.

2.The District Adi Dravidar Welfare Officer,

Thanjavur, Thanjavur District.

1CC TO THE SPL GOVT PLEADER SR 77010

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