

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED :13.11.2019
CORAM
THE HON'BLE MR.JUSTICE M.DHANDAPANI
W.P.No. 17049 of 2019

R. Natarajan

..Petitioner

Vs

1. The District Collector,
Namakkal,
Namakkal District.

2. The Assistant Director of Town Panchayats,
Namakkal Region,
Collectorate Campus, Namakkal,
Namakkal District.

3. The Executive Officer,
Pateanor Town Panchayat,
Pethanoor, Namakkal.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 3rd respondent to promote the petitioner as Record Clerk in the 3rd respondent Panchayat in the light of G.O. Ms. No. 205 Rural Development Department dated 23.03.1989 and by considering the petitioner's representation dated 30.04.2019 within a stipulated time.

For Petitioner : M/s. Ajmal Associates
For Respondents : Mr. R.S. Selvam, GA

O R D E R

Writ Petition is filed for issuance of a Writ of Mandamus to direct the 3rd respondent to promote the petitioner as Record Clerk in the 3rd respondent Panchayat in the light of G.O. Ms. No. 205 Rural Development Department dated 23.03.1989 and by considering the petitioner's representation dated 30.04.2019 within a stipulated time.

2. Heard both sides and perused the records. By consent, the writ petition is taken up for final disposal.

3. The case of the petitioners is that the petitioner was appointed as Office Assistant on 08.08.2009 at Paramathi Town Panchayat, Namakkal District by way of direct recruitment through employment exchange. The petitioner has completed his probation on 08.08.2010 and subsequently transferred to Pethanoor Town Panchayat on 26.11.2012. His next promotional avenue is Record Clerk. Though the petitioner is eligible for his promotion as Record Clerk, the 3rd respondent without considering the petitioner, trying to appoint some other person in the said post, which is purely a promotional post and has to be given on promotion basis as per G.O.Ms.No. 205 Rural Development Department dated 23.03.1989. The petitioner has made representation to the 3rd respondent to appoint him as Record Clerk in the existing vacancy, sine the same was not considered, the petitioner has filed the present writ petition.

4. Learned counsel appearing for the petitioner further submitted that it would suffice, if this Court issues direction to the 3rd respondent to consider and pass orders on the representation submitted by the petitioner dated 30.04.2019

5. Considering the limited request made by the learned counsel appearing for the petitioner, this Court hereby directs the 3rd respondent to consider the petitioner's representation dated 30.04.2019 and pass appropriate 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.

6. The writ petition is accordingly disposed of. No costs.

Sd/-
Assistant Registrar(CS IV)

//True Copy//

सत्यमेव जयते
Sub Assistant Registrar

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1. The District Collector,
Namakkal,
Namakkal District.
2. The Assistant Director of Town Panchayats,
Namakkal Region,
Collectorate Campus, Namakkal,
Namakkal District.

3. The Executive Officer,
Pateanor Town Panchayat,
Pethanoor, Namakkal.

+1cc to M/S.I.Sathish, Advocate sr.94141
+1cc to Government Pleader SR.NO. 94611
+1cc to M/s. Ajmal Associates, Advocate sr.94177

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ppa (co)
nr 16/12/2019



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