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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :04.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.24762 of 2019

N.Ramu

.. Petitioner

Vs.

1.The Government of Tamil Nadu,
Rep by its Secretary,
Municipal Administration and Water Supply Department,
Fort St. George, Chennai- 09.

2.The Director,
Municipal Administration,
Chepauk, Chennai - 600005.

3.The Zonal Director,
Municipal Administration,
Chengleput.

4.The Commissioner,
Poonthamallee Municipality,
Poonthamallee, Chennai-56.

5.The Commissioner,
Thiruverkadu Municipality,
Thiruverkadu,
Chennai - 77.

.. Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, to direct the 2nd respondent to consider and pass order on the representations of the petitioner dated 20.09.2018 and 22.04.2019, with regard to transfer of the petitioner from the 4th respondent Municipality to the 5th respondent Municipality as Pump operator, on the basis of the proposal forwarded by the 3rd respondent dated 07.11.2018, to the 2nd respondent.

For Petitioner : Mr.S.N.Ravichandran

For Respondents 1 to 3: Mr.A.N.Thambidurai
Special Government Pleader

For Respondent 4 : Mr.P.Srinivas



For Respondent 5 : Mr.R.Mohandoss

O R D E R

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The prayer sought for in this Writ Petition is to direct the 2nd respondent to consider and pass order on the representations of the petitioner dated 20.09.2018 and 22.04.2019, with regard to transfer of the petitioner from the 4th respondent Municipality to the 5th respondent Municipality as Pump operator, on the basis of the proposal forwarded by the 3rd respondent dated 07.11.2018, to the 2nd respondent.

2. The case of the petitioner is that he was appointed as Motor Operator in the year 1989 in the 5th respondent, the then Town Panchayat Thiruverkadu on consolidated pay of Rs.100/- and he was brought under regular scale of pay in the year 2006. Thereafter, the 3rd respondent transferred the petitioner from Thiruverkadu Municipality to Tirutani Municipality. In the year 2009, once again the petitioner was transferred from Tirutani Municipality to Poonnamallee Municipality. In the year 2013, the petitioner was transferred from Poonnamalle Municipality to Thiruverkadu Municipality, subsequently, the same was canceled by the 3rd respondent. Thereafter, the 2nd respondent issued order dated 21.05.2015, by re-designating Technical Categories (Trade Post). As per revision of scale pay, the petitioner is entitled to the scale of pay of Rs.5200-20200. However, due to non-availability of post of Pump Operator in Poonnamalle Municipality, the petitioner was designated Tank Watchman and because of this the petitioner is losing his monetary benefits. Therefore, the petitioner made representation on 22.04.2019 to the respondents requesting them to transfer him as a Tank Operator to Thiruverkadu or Tiruttani Municipality. However, no action was taken till date. Therefore, the present Writ Petition has been filed.

3. The learned counsel appearing for the petitioner would submit that it would be suffice to issue direction to the respondents to consider and dispose of the petitioner's representation dated 22.04.2019, on merits and in accordance with law.

4. Considering the facts and circumstances of the case and the limited request made by the learned counsel for the petitioner, I am inclined to issue direction to the respondents to consider and dispose of the representation dated 22.04.2019 within a period of twelve weeks from the date of receipt of a copy of this order, on merits and in accordance with law.



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5. With the above direction, the Writ Petition is disposed of. No costs.

s/d-

Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

To

1.The Secretary,
Government of Tamil Nadu
Municipal Administration and Water Supply Department,
Fort St. George, Chennai- 09.

2.The Director,
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5.The Commissioner,
Thiruverkadu Municipality,
Thiruverkadu,
Chennai - 77.

+1 CC to Mr.P.Srinivas, Advocate sr 91399

+1 CC to Mr.S.N.Ravichandran, Advocate sr 91312.

+1 CC to Mr.R.Mohandoss, Advocate sr 91638.

W.P.No.24762 of 2019

PVS (CO)
SP(02/01/2020)