



WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.10.2019

CORAM

THE HONOURABLE Mr. JUSTICE M.DHANDAPANI

W.P.No.25504 of 2019
and

WMP.No.25034 of 2019

S.Sathiya

... Petitioner

Vs

- 1.The State of Tamil Nadu rep. by its
Secretary to Government,
Rural Development and Panchayat Raj Department,
Secretariat, Chennai-9.
- 2.The Commissioner,
Rural Development and Panchayat Raj Department,
Panagal Building,
Saidapet,
Chennai-15.
- 3.The District Collector,
Ariyalur,
Ariyalur District.
- 4.The Block Development Officer,
O/o. Anidimadam Panchayat Union,
Andimadam,
Ariyalur District.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus, directing the respondents to consider the claims of the petitioner to appoint on time scale of pay as Computer Assistant with all benefits based on the proposal of the fourth respondent dated 08.09.2011.

For Petitioner : Mr.G.Elanchezhiyan

For Respondents : Mrs.A.Srijayanthi
Additional Government Pleader



O R D E R

This Writ Petition has been filed for issuance of Writ of Mandamus directing the respondents to consider the claims of the petitioner to appoint on time scale of pay as Computer Assistant with all benefits based on the proposal of the fourth respondent dated 08.09.2011.

2. The case of the petitioner is that she was initially selected and appointed as Typist on daily wage basis in the Andimandam Panchayat Union. Thereafter, the said post was re-designated as Computer Assistant and the petitioner has been working in the post of Computer Assistant for all these years. While so, the Government has taken a policy decision dated 28.06.2011 to bring the post of Computer Assistants into regular time scale of pay and sought for the particulars of the employees in the post of Computer Assistants and directed the Department to get particulars of the daily wages Computer Assistant working in the respective Panchayat Union. Based on the said policy decision the Commissioner of Rural Development and Panchayat Raj Department has issued a letter to all the District Collectors dated 19.08.2011 and directed the authority to sent the particulars of the Computer Assistant working in the respective Panchayat Union in respect of concerned District. Based on the proceedings of the Commissioner, Rural Development and Panchayat Raj Department, dated 19.08.2011, the District Collector, Ariyalur has issued a letter dated 08.09.2011, to the Commissioner, Panchayat Union and requested to send particulars of the Computer Assistant working in the respective Panchayat Union.

3. According to the petitioner, the Commissioner, Andimadam Panchayat Union has sent a proposal on 08.09.2011 to the District Collector, Ariyalur to bring the Computer Assistant into regular time scale of pay. Thereafter, the Commissioner, Rural Development and Panchayat Raj Department, Chennai has issued a letter dated 02.08.2012 and instructed the District Collectors (Thiruvallore, Salem, Dharmapuri and Tanjore) to submit the particulars of the Computer Assistant working in the Panchayat Union in the Computer CD on or before 05.08.2012. Based on that all the District Collectors were sent particulars of Computer Assistant in CDs to the Commissioner of Rural Development and Panchayat Raj Department, Chennai. Thereafter, the Commissioner, Rural Development and Panchayat Raj Department has not passed any order till date and there is no progress in the above said proposal and it is still pending. Hence the petitioner had sent a representation to the second



respondent on 13.02.2019 to consider the proposal of the District Collector. Since, no action is forthcoming from the respondent, the Petitioner is before this Court.

4. Learned counsel for the petitioner would submit that it would suffice to issue direction to the second respondent to consider and pass orders on the petitioner's representation dated 13.02.2019, in accordance with law and in the light of the proposal sent by the third respondent.

5. Considering the facts and circumstances of the case, I am inclined to issue direction to the second respondent to consider the petitioner's representation dated 13.02.2019 and pass appropriate orders in accordance with law within a period of twelve weeks from the date of receipt of a copy of this order.

6. With the above observation, this Writ Petition stands disposed of.

No costs. Consequently, connected civil miscellaneous petition is closed.

Sd/-
Assistant Registrar(CS VI)

//True Copy//

Sub Assistant Registrar

To

1.The Secretary to Government,
The State of Tamil Nadu
Rural Development and Panchayat Raj Department,
Secretariat, Chennai-9.

2.The Commissioner,
Rural Development and Panchayat Raj Department,
Panagal Building,
Saidapet,
Chennai-15.

3.The District Collector,
Ariyalur,
Ariyalur District.



4.The Block Development Officer,
O/o. Anidimadam Panchayat Union,
Andimadam,
Ariyalur District.

+lcc to Mr.E.Elanchezhiyan, Advocate Sr.84812
+lcc to the Government Pleader Sr.85531

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srg 06/01/2020