

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :26.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.25879 of 2019
and W.M.P.Nos.25375 & 25378 of 2019

1.R.Menaka

2.S.Subramanian

3.R.S.Venkatesh

4.K.Vimala

5.T.Umadevi

6.N.Saravanan

...Petitioners

vs

1.The state of Tamil Nadu
Rep. by its Secretary,
Hindu Religious & Charitable Endowment
Secretariat, Fort St. George,
Chennai-600 009

2.The Commissioner
Hindu Religious & Charitable Endowment
119, Uthamar Gandhi Salai,
Nungambakkam High Road,
Chennai-600 034.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the Respondents to prepare the inter-se seniority in the cadre of Assistant Commissioners, Hindu Religious & Charitable Endowment Department and thereafter prepare the panel for promotion for the post of Deputy Commissioners as per the Rule 2(a)(c), (e) of the Tamil Nadu Hindu Religious & Charitable Endowment Administration Rules and fill up the vacancies in the cadre of Deputy Commissioners.

For Petitioners : Mr. P.Ganesan

For Respondents : Mr.M.Maharaja
Special Government Pleader
for HR&CE

ORDER

The Writ Petition is filed for issuance of a Writ of Mandamus to direct the Respondents to prepare the inter-se seniority in the cadre of Assistant Commissioners, Hindu Religious & Charitable Endowment Department and thereafter prepare the panel for promotion for the post of Deputy Commissioners as per Rule 2(a)(c), (e) of the Tamil Nadu Hindu Religious & Charitable Endowment Administration Rules and fill up the vacancies in the cadre of Deputy Commissioners.

2. Heard the learned counsel appearing for the petitioners and the learned counsel appearing for the respondents. By consent, the writ petition is taken up for final disposal.

3. The case of the petitioner is that the petitioners are working as Assistant commissioner. They request inter-se seniority in the cadre

of Assistant commissioner and to prepare panel for promotion as Deputy Commissioner. While so, on 13.07.2019 the 2nd respondent called for particulars in Assistant Commissioner cadre in Na.Ka.No.26847/2019-2-B1 exclusively considering direct recruited Assistant Commissioners, which is illegal. All the petitioners made a representations on 05.08.2019, 06.08.2019 and 13.08.2019 to the 2nd respondent requesting to draw the inter-se seniority in the cadre of Assistant Commissioners and thereafter prepare the panel and fill-up the vacancies in the cadre of Deputy Commissioners. Till date the representation was not considered. Hence the Writ Petition.

4. Learned counsel for the petitioners submitted that though the petitioners have given several representations on 05.08.2019, 06.08.2019 and 13.08.2019 and the same were not considered.

5. Mr.M.Maharaja Learned Special Government Pleader submitted that appropriate orders would be passed after considering the petitioner's representation.

6. Considering the facts and circumstances of the case, this Writ Petition is disposed of directing the 2nd respondent to consider the last representation of the petitioners' dated 13.08.2019 and pass appropriate orders on merits and in accordance with law within a period of 12 weeks from the dated of receipt of copy of this order. No costs. Consequently, connected miscellaneous petitions are closed.

s/d-
Assistant Registrar(CO)

True Copy

Sub-Assistant Registrar

vsn
To

1.The Secretary,
Hindu Religious & Charitable Endowment
Secretariat, Fort St. George,
Chennai-600 009

2.The Commissioner
Hindu Religious & Charitable Endowment
119, Uthamar Gandhi Salai,
Nungambakkam High Road,
Chennai-600 034

+1 CC to The Spl. Govt. Pleader sr 99065.
+1 CC to M/s.C.S. Associates sr 98870.

W.P.No.25879 of 2019
and

W.M.P.Nos.25375 & 25378 of 2019

SVI (CO)
SP(29/01/2020)

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