

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2019

CORAM

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P. No. 30361 of 2019
and
W.M.P. No. 30350 of 2019

V.Balasundaram

... Petitioner

Vs.

1. The Principal Secretary to Government,
Labour and Employment Department,
Secretariat, Chennai - 9.
2. The Commissioner,
Employment Training Department,
Guindy, Chennai - 32.

... Respondents

Prayer: Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus forbearing the Respondents from proceeding further on the proposed appointments of Administrative Officer post based on the seniority list published by the Second Respondent in Se.Mu.Aanai.No.4440/Pa A2, dated 26.02.2018, without passing speaking orders on the representations of the Petitioner dated 24.05.2019 and reminder dated 27.09.2019.

For Petitioner : Mr. P. Kannan Kumar

For Respondents : Mr. A. N. Thambidurai
Special Government Pleader

O R D E R

The Petitioner has filed this writ petition, seeking for issuance of a Writ of Mandamus, to forbear the Respondents from proceeding further on the proposed appointments of Administrative Officer post based on the seniority list published by the Second Respondent in Se.Mu.Aanai.No.4440/Pa A2, dated 26.02.2018, without passing speaking orders on the representations of the Petitioner dated 24.05.2019 and reminder dated 27.09.2019.

2. Heard the learned counsel appearing for the Petitioner and the learned Special Government Pleader appearing for the Respondents.

3. The case of the Petitioner is that he joined as Junior Assistant in the Respondents Department on 20.04.1987 and was promoted as Accountant on 24.01.1997 and thereafter he was promoted as Office Manager in the year 2014 (on 18.07.2014) and he joined duty on 01.04.2015. He completed 32 years and 6 months of service in the Respondents Department. While he was in service, a temporary list of seniority (Cumulative Seniority List) was published on 26.02.2018 and the Petitioner name was found in S.No. 58 instead of One. Considering the same, the Petitioner made a representations dated 06.03.2018 & 15.03.2018 to the Second Respondent. The Second Respondent has not consider the aforesaid representations. The Petitioner has again made representations on 24.05.2019 and on 27.09.2019. Since no Response is invoking despite his representations, the Petitioner is constrained to approach this Court by filing the present writ petition.

4. The learned counsel appearing for the Petitioner would submit that without going into the merits of the case, it would suffice, if this Court issues direction to the Respondents to consider the Petitioner's representation dated 24.05.2019 and to pass appropriate orders.

5. Considering the limited request made by the learned counsel appearing for the Petitioner, I am inclined to issue direction to the Respondents to consider the Petitioner's representation dated 24.05.2019, 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-VIII)

//True Copy//

Sub Assistant Registrar

arb
To

1. The Principal Secretary,
Government of Tamil Nadu,
Labour and Employment Department,
Secretariat, Chennai - 9.

2. The Commissioner,
Employment Training Department,
Guindy, Chennai - 32.

+1cc to Mr. P. Kannan Kumar, Advocate SR.89400
+1cc to the Government Pleader SR.89946

W.P. No. 30361 of 2019
and
W.M.P. No. 30350 of 2019

SVI (CO)
CB(04/12/2019)



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