

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 24.10.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.30437 of 2019

Velangannidassane

... Petitioner

Vs.

1. Union of India
Rep. by Govt. of Puducherry
Chief Secretariat,
Puducherry-605 001.
2. The Director,
Local Administration Department,
Pondicherry-605 001.
3. The Commissioner,
Pondicherry Municipality
Kamban Kaliarangam
Puducherry-605 001.

... Respondents

Prayer :- Writ petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 16.10.2019.

For Petitioner : Mr.D.Sreenivasan

For Respondents : Mr.Stalin Abhimanyu
Government Advocate (Puducherry)
for R1 to R3

ORDER

Writ Petition is filed for issuance of Writ of Mandamus, directing the respondents to consider the petitioner's representation dated 16.10.2019.

2. Heard the learned counsel for the petitioner and the learned Government Advocate, Puducherry appearing for the respondents. By consent of both sides, the writ petition is taken up for final disposal at the admission stage itself.

3.The petitioner was engaged as Daily-Rated Sanitary Worker in the year 1986 in the 3rd respondent Municipality and his service was regularized as Sanitary Worker on 19.10.1993. Thereafter, the petitioner was considered for the post of Sanitary Maistry, Gr-II, during the Departmental Promotion Committee held on 29.06.2004 along with few others against the vacancies caused due to promotion of some Sanitary Maistry Gr.I and while he was in service, disciplinary proceedings were initiated against him imposing minor penalty of Censure and subsequently, the same has been set aside. He made a representation on 16.10.2019 to the respondents for promotion to the post of Sanitary Maistry Gr-II. Till date, the petitioner's representation was not considered. Hence the present writ petition is filed.

4.The learned counsel for the petitioner submitted that it would suffice if a direction is passed to the respondents to consider the representation of the petitioner dated 16.10.2019, within a reasonable time as fixed by this Court.

5.The learned counsel appearing for the respondents accede to the submission made by the learned counsel for the petitioner and submitted that if any such representation was received by the respondents, the same will be considered on merits and in accordance with law.

6.Thus, without going into the merits of the case, this Court is inclined to direct the respondents to consider the representation of petitioner dated 16.10.2019 and pass orders on merits and in accordance with law within a period of twelve weeks from the date of receipt of copy of this order.

7.With the above direction, the writ petition stands disposed of. No costs.

Sd/-

Assistant Registrar(CS-VI)

//True Copy//

Sub Assistant Registrar

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To

1. Chief Secretariat,
Government of Puducherry
Puducherry-605 001.
2. The Director,
Local Administration Department,
Pondicherry-605 001.

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3. The Commissioner,
Pondicherry Municipality
Kamban Kaliarangam
Puducherry-605 001.

+1cc to the Government Pleader(Pondicherry), SR.89989

W.P.No.30437 of 2019

SJ(CO)
CB(03/12/2019)



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