

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED :11.11.2019

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

W.P.No.31684 of 2019

K.Neelakandan

..Petitioner

vs

1.The Secretary to Government
Revenue Department,
Fort St.George, Chennai.

2.The Commissioner of Revenue Administration
Ezhilagam, Chennai-600005.

3.The District Collector,
Collectorate Buildings,
Chennai.

4.The District Revenue Officer
Collectorate Buildings,
Chennai.

5.The Tahsildar,
Taluk Office,
Aminjikarai, Chennai.

6.The Director of School Education
School Education Department,
Nungambakkam, Chennai.

7.The Secretary,
Tamil Nadu Public Service Commission,
TNPSC Road, Park Town,
VOC Nagar, Chennai-600003.

.. Respondents

Prayer: Writ Petition is filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 7th respondent to reconsider the representation of petitioner dated 09.08.2018 in particularly the No-objection Certificate issued by the 3rd respondent dated 26.06.2019 for having considered the candidature of the petitioner for the post of Junior Assistant in Revenue Department by regularising his service with effect from the date of appointment dated 29.08.2003 and fix him in the time scale of pay with arrears.

For Petitioner : M/s. N. Umapathi
For Respondents : Mr. R.S.Selvam, GA - R1 to R5
Mr.C.Munusamy, Spl.GP - R6
Mr.M.Loganathan - R7

O R D E R

Writ Petition is filed for issuance of a Writ of Mandamus to direct the 7th respondent to reconsider the representation of petitioner dated 09.08.2018 in particularly the No-objection Certificate issued by the 3rd respondent dated 26.06.2019 for having considered the candidature of the petitioner for the post of Junior Assistant in Revenue Department by regularising his service with effect from the date of appointment dated 29.08.2003 and fix him in the time scale of pay with arrears.

2. Heard both sides and perused the records. By consent, the writ petition is taken up for final disposal.

3. The case of the petitioners is that the petitioner was appointed by the 3rd respondent as a temporary Junior Assistant on contract basis on 29.08.2003 with consolidated pay of Rs.5,000/- per month. The petitioner has been working as Junior Assistant for more than 16 years. In the year 2007, the 6th respondent had called for special examination test. The petitioner participated in the examination on 25.01.2012 and he was selected to the School Education Department by order dated 08.02.2012. The petitioner made a representation to the respondents on 02.04.2012 to consider him to permit to work in the Revenue Department as Junior Assistant. The Assistant Commissioner of Disaster Management and Revenue Department by its letter dated 03.05.2013, requested the petitioner to obtain NOC from the 5th respondent. The petitioner made representation dated 09.08.2018 to the 7th respondent and the same is pending before the 7th respondent. Subsequently, the 3rd respondent issued No Objection Certificate on 15.09.2018 for being considered the petitioner's application to the post of Junior Assistant. However the same is kept pending by the 7th respondent/TNPSC for prolonged period. Hence this Writ Petition.

4. Learned counsel for the petitioner submitted that the petitioner has been working as Junior Assistant for a long period in various departments and no promotion has been given by the respondents and not even fixed in the time scale of pay and he has been drawing a sum of Rs.5,000/- as salary.

4. Learned counsel appearing for the petitioner further submitted that it would suffice, if this Court issues direction to the 7th respondent to consider the petitioner's representation

dated 09.08.2018 and pass appropriate orders within the reasonable time.

5. Considering the limited request made by the learned counsel appearing for the petitioner, this Court hereby directs the 7th respondent to consider the request made by the petitioner based on the No Objection Certificate issued by the 3rd respondent District Collector in Endorsement No.A2/9945/2018, dated 15.09.2018 and pass appropriate orders 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.

-s/d-

Assistant Registrar(CCC)

True Copy

Sub-Assistant Registrar

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To

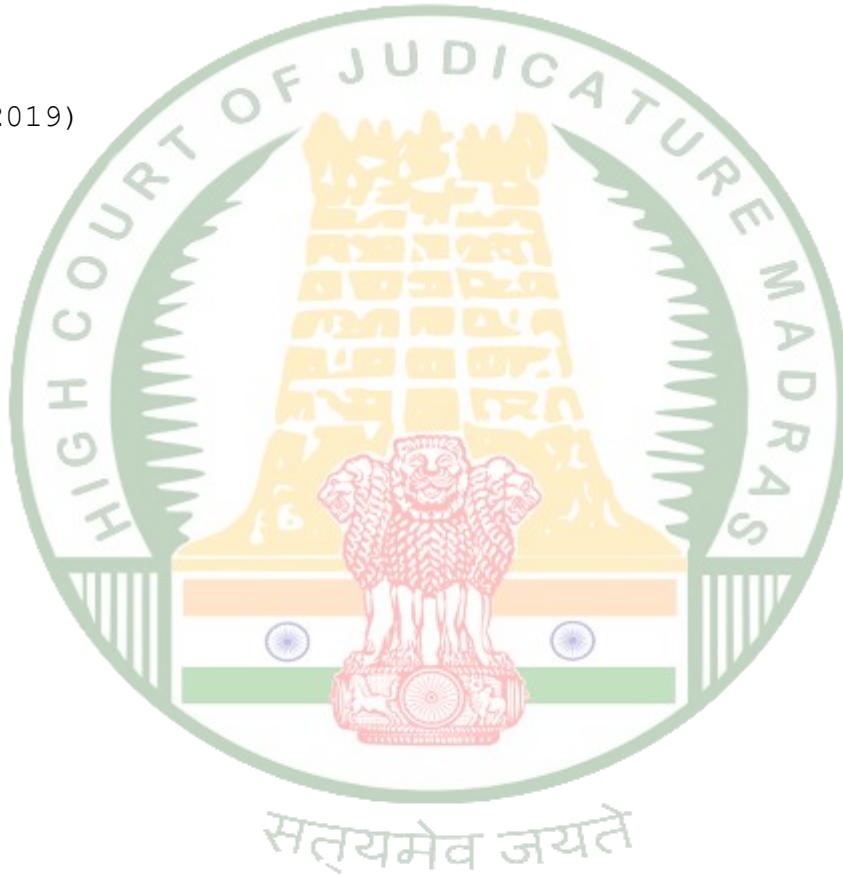
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TNPSC Road, Park Town,
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+1 CC to Mr.N. Umapathi, advocate sr 94165.
+1 CC to The Govt. Pleader sr 93757.

W.P.No.31684 of 2019

PP(CO)
SP(19/12/2019)



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