

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.11.2019

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

W.P.No.31460 of 2019

S.Lakshminarayanan

... Petitioner

Versus

1. The Director,
Rural Development and Panchayatraj Department,
Ezhilagam, Chennai.
2. The District Collector,
Villupuram District,
Villupuram.
3. The Block Development Officer,
Thiruvennainallur Panchayat Union,
Thiruvennainallur,
Villupuram District.

.... Respondents

Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, to direct the respondents 1 to 3 to provide alternate employment to the petitioner as Junior Assistant by protecting his pay and other service conditions within a reasonable time.

For Petitioner : Mr.S.Sivakumar

For Respondents : Mr.R.S.Selvam, (for R1 and R2)
Government Advocate.

: Mr.S.Sureshkumar (for R3)

ORDER

This Writ petition has been filed seeking to direct the respondents 1 to 3 to provide alternate employment to the petitioner as Junior Assistant by protecting his pay and other service conditions within a reasonable time.

2.The case of the petitioner is that the petitioner entered into service as driver through employment exchange and thereafter, he upgraded as a selection grade driver. On

23.07.2017, the petitioner met with an accident and sustained injuries on his right leg and also underwent surgery for the same. Thereafter, he was referred to the medical board for his fitness, where, he was declared as unfit to the post of driver, but he can do alternate work in sitting position. Therefore, the third respondent sent a communication and directed the petitioner to submit his consent for appointment of Record Clerk post. Not being satisfied with the post allotted for the petitioner, he made a representation dated 06.02.2019 to provide Junior Assistant post as alternate, since the scale of pay of the driver is equal to the post of Junior Assistant to the first respondent, through proper channel from the third respondent. Though the third respondent forwarded the petitioner's representation to the first respondent, but till date, the petitioner's representation was not considered. Hence, the petitioner has approached this Court with the above said prayer.

3. Heard both sides and perused the materials available on record.

4. In view of the limited relief sought for, this Court is of the view that it is not necessary to delve into the merits of the issue, but it would suffice to direct the respondent to consider the representation submitted by the petitioners dated 06.02.2019 and pass orders on the same within a particular time frame.

5. With the above directions, this writ petition is disposed of directing the respondents to consider the representation of the petitioners dated 06.02.2019 and to pass orders thereon, in accordance with law, within a period of twelve weeks from the date of receipt of a copy of this order. No costs. Consequently, the connected miscellaneous petition is closed.

Sd/-

सत्यमेव जयते
Assistant Registrar (CS VI)

//True Copy//

Sub Assistant Registrar

klr

To

1. The Director,
Rural Development and Panchayatraj Department,
Ezhilagam, Chennai.

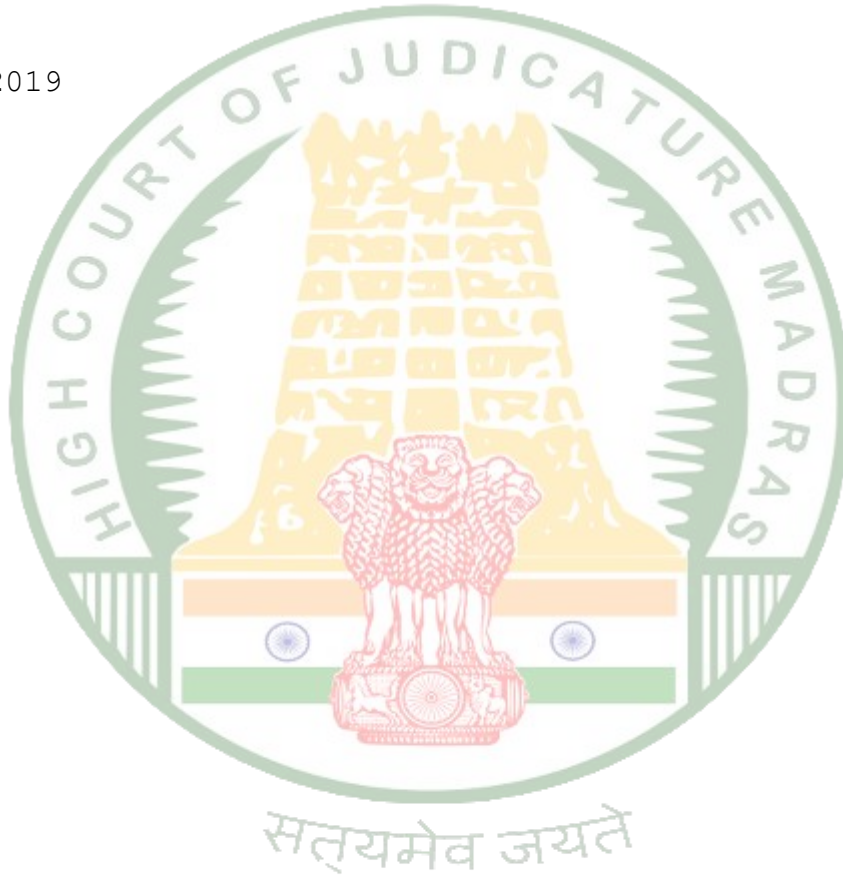
2. The District Collector,
Villupuram District,
Villupuram.

3. The Block Development Officer,
Thiruvannainallur Panchayat Union,
Thiruvannainallur,
Villupuram District.

+lcc to Government Pleader, in sr.no.93349

W.P.No.31460 of 2019

BS (CO)
CS/19/12/2019



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