

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 29.01.2019

CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.31468 of 2018

M.Sivaprakasam

... Petitioner

Vs

1. The Government of Tamil Nadu
rep.by its Principal Secretary,
Rural Development and Panchayat Raj Department,
Fort St. George,
Secretariat,
Chennai - 600 009.
 2. The Commissioner,
Rural Development and
Panchayat Raj Department,
Panagal Building,
Saidapet,
Chennai - 600 015.
 3. The District Collector,
Cuddalore District,
Cuddalore.
 4. The Director of Rural Development Panchayat,
Cuddalore,
Cuddalore District.
- सत्यमेव जयते ... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the third respondent to pass orders on the petitioner's representation dated 12.10.2018 within the stipulated period as fixed by this Court.

For Petitioner : Mr.R.Parthasarathy

For Respondents : Mr.R.S.SELVAM,
Government Advocate

ORDER

The prayer made in this writ petition is to direct the third respondent to pass orders, on the petitioner's representation dated 12.10.2018 within a time frame to be stipulated by this Court.

2. According to the learned counsel for the petitioner, the petitioner submitted a representation dated 12.10.2018 to the third respondent, stating that in the seniority list notified by the first respondent on 01.01.2018 in the cadre of Deputy Block Development Officers, the petitioner was placed in Sl.No.117, whereas his junior viz., one K.Saravanan was placed in Sl.No.68 and hence, requesting to refix his seniority over and above his junior K.Saravanan. Since the said representation was not considered till date, the petitioner has filed the present writ petition.

3. Today, when the matter was taken up for consideration, the learned Special Government Pleader appearing for the respondents produced a copy of the communication in Na.Ka.No.pa.A.5/10403/2018 dated 03.12.2018 addressed to him by the third respondent, wherein, it is stated that the third respondent already sent a letter in Na.Ka.No.Pa.A.5/4563/2018 dated 12.11.2018, directing the petitioner to furnish certain documents as mentioned therein, in support of his claim and on such submission, his claim would be considered.

4. In reply, the learned counsel for the petitioner submitted that no such communication was served on the petitioner and hence, he was not in a position to submit the required documents as directed by the third respondent.

5. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court, in order to give quietus to the issue involved herein, directs the petitioner to submit the required documents as called for by the third respondent in the letter dated 12.11.2018, a copy of which is now, handed over to the learned counsel for the petitioner, within a period of two weeks from the date of receipt of a copy of this order. On such submission, the claim of the petitioner be considered and appropriate orders be passed by the respondent authorities, on merits and in accordance with law, after affording due opportunity of personal hearing to the petitioner, within a period of six weeks thereafter.

6. Accordingly, this writ petition stands disposed of. No costs.

Sd/-
Assistant Registrar(CS III)

//True Copy//

Sub Assistant Registrar

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To

1. The Principal Secretary, Government of Tamil Nadu
Rural Development and Panchayat Raj Department,
Fort St. George,
Secretariat,
Chennai - 600 009.
2. The Commissioner,
Rural Development and
Panchayat Raj Department,
Panagal Building,
Saidapet,
Chennai - 600 015.
3. The District Collector,
Cuddalore District,
Cuddalore.
4. The Director of Rural Development Panchayat,
Cuddalore,
Cuddalore District.

+1 cc to Mr.R.Sathyamoorthy, Advocate Sr.No.7002
+1 cc to The Government Pleader, Sr.No.7622

W.P.No.31468 of 2018

MR(CO)
CSL/21.03.2019

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