

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 05.08.2019

CORAM:

THE HONOURABLE **MR. JUSTICE S.M.SUBRAMANIAM****W.P. (MD) No.16853 of 2013**

WEB COPY

R.Rajasekaran

... Petitioner

Vs.

The District Collector,
Sivagangai District,
Sivagangai.

... Respondent

PRAYER: Writ Petition under Article 226 of the Constitution of India, to issue a Writ of Certiorarified Mandamus, to call for the records pertaining to the impugned order in Na.Ka.PPi2/31692/2011 dated 18.06.2013 on the file of the respondent and quash the same as illegal and consequently, for a direction directing the respondent to provide notional promotion to the petitioner as Deputy Block Development Officer with consequential benefits including revision of pension and other benefits within the time period stipulated by this Court.

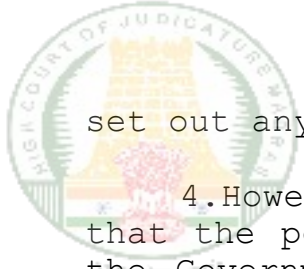
For Petitioner : Mr.T.Lajapathi Roy
For Respondent : Mr.K.Mu.Muthu
Additional Government Pleader

ORDER

The order passed by the respondent in proceeding dated 18.06.2013 is sought to be quashed and further direction is sought for to provide notional promotion to the writ petitioner to the post of Deputy Block Development Officer with consequential benefits including revision of pension.

2.The learned counsel appearing on behalf of the writ petitioner made a submission that the petitioner was appointed as Record Clerk in the Panchayat Union, during the year 1975 and he was promoted to the post of Junior Assistant on 22.09.1981. The service of the writ petitioner was regularized in the post of Junior Assistant and his probation was also declared.

3.The claim of the writ petitioner is that he was not considered for promotion to the post of Deputy Block Development Officer on bar with his Junior. In this regard, the petitioner made several representations and the respondent has rejected the representation submitted by the writ petitioner only in June 2013. However, even at the time of filing of the writ petition, the petitioner was aged about 61 years. He submitted a representation on 05.11.2011, after his retirement. Thus, the writ petitioner has not



set out any claim for retrospective promotion, he was in service.

4. However, the learned counsel for the writ petitioner states that the petitioner may be permitted to work out his remedy before the Government and the Government is the final authority. In this regard, this Court is of the considered opinion that if at all, the writ petitioner would like to pursue his remedy, to approach the Government for the purpose of redressal of his grievance.

5. With the above direction, this Writ Petition stands disposed of. No costs.

Sd/-

Assistant Registrar (CS III)

// True Copy //

Sub Assistant Registrar (CS)

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To

The District Collector,
Sivagangai District,
Sivagangai.

+1 CC to M/s.SPL GP (SR-79965[F] dated 06/08/2019)

+1 CC to M/s.T.LAJAPATHI ROY, Advocate (SR-80164[F] dated 07/08/2019)

W.P. (MD) No.16853 of 2013

05.08.2019

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