

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

DATED: 26.04.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.10332 of 2019**

WEB COPY

S.Singaram

... Petitioner

Vs.

The District Collector,
Tirunelveli.

... Respondent

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondent to consider the petitioner's representation, dated 28.09.2017 to include his name at promotion list of 'Assistant' of the year 2010.

For Petitioner : Mr.S.Micheal Heldon Kumar

For Respondent : Mr.S.Angappan,
Government Advocate.**ORDER**

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the respondent to consider the petitioner's representation, dated 28.09.2017 to include his name in the promotion list of 'Assistant' for the year 2010.

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

3.The learned counsel appearing for the petitioner submitted that the petitioner was appointed as Junior Assistant on 21.03.2002 and his service was regularized and his probation period was completed on 04.04.2004. Due to the delay on the part of the respondent, the petitioner completed the trainings viz., Bhavaisagar and Orathandu in the year 2010 and 2013. The learned counsel appearing for the petitioner further submitted that though he was eligible for the post of Assistant from the year 2009, his name was placed in seniority list of Assistant in the year 2013. In this regard, the petitioner sent a representation to the respondent on 28.09.2017 to include his name in the promotion list of 2010, followed by reminder, dated 19.03.2019. Since the same have not been considered by the respondent so far, the petitioner has come up with the present Writ Petition.



4.The learned Government Advocate appearing for the respondent submitted that the petitioner's representation would be considered on merits.

5.In view of the above submission, this Court, without going into the merits of the case, directs the respondent to consider the petitioner's representation dated 28.09.2017, followed by reminder, dated 19.03.2019, seeking inclusion of his name in the promotion panel list for the year 2010 and pass appropriate orders on merits and in accordance with law, after due opportunity of hearing to the petitioner. Such an exercise shall be completed within a period of eights weeks from the date of receipt of a copy of this order.

6.The Writ Petition is disposed of with the above direction. No costs.

Sd/-

Assistant Registrar

/ True Copy /

Sub Assistant Registrar(CS)

ps

To

The District Collector,
Tirunelveli.

+1 CC to M/s.S.MICHEAL HELDON KUMAR, Advocate
(SR-63022[F] dated 26/04/2019)

+1 CC to M/s.SPL GP (SR-63617[F] dated 27/04/2019)

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ES/24.05.2019/2P/4C