

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

DATED: 01.04.2019

CORAM

THE HONOURABLE MR. JUSTICE R. MAHADEVAN**W.P(MD)No.7594 of 2019**

WEB COPY

S.Moorthy

... Petitioner

Vs.

1.The Principal Secretary to Government,
Municipal Administration and Water
Supply Department,
Secretariat,
Chennai - 9.

2.The Commissioner of Municipal Administration,
Santhom High Road,
Chennai - 28.

3.The Commissioner,
Theni - Allinagaram Municipality,
Theni, Theni District.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the second respondent to consider and dispose of the petitioner's representation dated 23.02.2019 for appointment to any post in commensurate to his educational qualification of 10th Std from the post of Sweeper within the time stipulated by this Court.

For Petitioner : Mr.A.Nawaz Khan,
for M/s.Ajmal Associates.

For Respondents : Mr.C.M.Mari Chelliah Prabhu,
Additional Government Pleader.

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the second respondent to consider and dispose of the petitioner's representation, dated 23.02.2019, relating to appoint him to any post in commensurate to his educational qualification from the post of Sweeper within the time stipulated by this Court.

2.Heard the learned counsel appearing for the petitioner and Mr.C.M.Mari Chelliah Prabhu, learned Additional Government Pleader, who takes notice for the respondents. By consent, the Writ Petition is taken up for disposal at the admission stage itself.



3.The case of the petitioner is that his father, who was working as a Sweeper with the third respondent, while in service, passed away. Hence, the third respondent, vide proceedings, dated 15.07.2009, appointed the petitioner as a Sweeper. Seeking to appoint him in a suitable post based on his educational qualification, the petitioner sent a representation, dated 23.02.2019 to the respondents. Since the same has not been considered so far, the petitioner has filed the present Writ Petition.

4.The learned Additional Government Pleader appearing for the respondents submitted that the representation of the petitioner would be considered by the second respondent on merits.

5.In view of the above, this Court, without going into the merits of the case, directs the second respondent to consider the representation of the petitioner, dated 23.02.2019 seeking to appoint him in any post based on his educational qualification and pass appropriate orders on merits and in accordance with law, after affording due opportunity of hearing to the petitioner, within a period of eight weeks from the date of receipt of a copy of this order.

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

Sd/-

Assistant Registrar (CS-II)

/ True Copy /

Sub Assistant Registrar(CS)

PS

To

1.The Principal Secretary to Government,
Municipal Administration and Water
Supply Department,
Secretariat,
Chennai - 9.

2.The Commissioner of Municipal Administration,
Santhom High Road,
Chennai - 28.

3.The Commissioner,
<https://hcservices.ecourts.gov.in/hcservices/>
Theni - Allinagaram Municipality,
Theni, Theni District.



+1 CC to M/s.SPL GP (SR-58345[F] dated 02/04/2019)

+1 CC to M/s.AJMAL ASSOCIATES, Advocate(SR-58258[F]dated 02/04/2019)

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