

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

DATED: 03.04.2019

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THE HONOURABLE MR.JUSTICE R.MAHADEVAN**W.P(MD)No.7930 of 2019**

O.Saraswathi

... Petitioner

Vs.

1.The Secretary to Government,
Rural Development Department,
Secretariat, Chennai.

2.The Commissioner and Director of Rural
Development and Training,
Saidapet,
Chennai - 600 015.

3.The Additional Director,
Rural Development Department,
Office of the State Institute of Rural Development,
Maramalai Nagar,
Chennai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the respondents herein to consider the petitioner's representation, dated 29.12.2016 for giving notional promotion in the post of Principal/Joint Director of Rural Development to her in the light of the proceedings issued by the first respondent, dated 17.11.2005 in G.O(D)No.573, Rural Development Department and pay all necessary attendant benefits thereon within the time stipulated by this Court.

For Petitioner : Mr.P.Mahendran

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

This writ petition has been filed seeking to direct the respondents to consider the petitioner's representation, dated 29.12.2016 for giving notional promotion in the post of Principal/Joint Director of Rural Development to her in the light of the proceedings issued by the first respondent, dated 17.11.2005 in G.O(D)No.573, Rural Development Department and pay all necessary attendant benefits thereon within the time stipulated by this Court.



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

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3. The case of the petitioner is that since she has completed total service period of 9-1/2 years in the post of Assistant Instructress in Home Science Department from 12.05.1978 to 20.09.1987 and she served as a Lecturer in the said Centre, she was entitled for promotion to the post of Principal/Joint Director. Till her retirement, she was not given any promotion, but the respondents promoted her juniors to the said post. Hence, the petitioner sent a representation to the respondents on 29.12.2016 to grant notional promotion as Principal/Joint Director and pay all the benefits. Since no action has been taken on the side of the respondents, 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 on merits.

5. In such view of the matter, this Court, without going into the merits of the case, directs the respondents to consider the representation of the petitioner, dated 29.12.2016 seeking notional promotion in the light of the proceedings issued by the first respondent, dated 17.11.2005 in G.O(D)No.573, Rural Development Department, and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioner. Such an exercise shall be completed 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(AS)

// True Copy //

Sub Assistant Registrar(CS)

To

1. The Secretary to Government,
Rural Development Department,
Secretariat, Chennai.

2. The Commissioner and Director of Rural
Development and Training,
Saidapet,
Chennai - 600 015.



3.The Additional Director,
Rural Development Department,
Office of the State Institute of Rural Development,
Maramalai Nagar,
Chennai.

+1 CC to M/s.P.MAHENDRAN, Advocate in SR-58682
+1 CC TO SPECIAL GOVERNMENT PLEADER IN SR No.58934

W.P(MD)No.7930 of 2019
03.04.2019

ps

PK/13.05.2019 : 3P/6C