

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

DATED: 09.04.2019

CORAM

WEB COPY

THE HONOURABLE MR. JUSTICE R. MAHADEVAN**W.P (MD) No. 8445 of 2019**

1. A. Palani Kumar
2. S. Thiruppathi
3. G. Ilangoan
4. K. G. Kannan
5. P. Ragunathan

... Petitioners

Vs.

1. The State of Tamil Nadu,
Rep. by its Secretary to the Government,
Municipal Administration and Water Supply Department,
Secretariat, Chennai - 9.

2. The Commissioner of Municipal Administration,
Municipal Administration and Water Supply Department,
Chepauk, Chennai - 5.

3. The Commissioner,
Madurai Corporation,
Madurai.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a writ of Mandamus, directing the third respondent to comply with the order, dated 15.02.2017 in Letter No. 25148/Ma.Na.4/2016 - 3 and order, dated 27.02.2018 in Na.Ka.No.30451/2016/F4 passed by the first and second respondents respectively by promoting the petitioners as Assistant Engineers.

For Petitioners : Mr. C. Mayil Vahana Rajendran

For RR 1 & 2 : Mr. S. Angappan,
Government Advocate.

For R - 3 : Mr. Prabhu Ramachandran

ORDER

This writ petition has been filed seeking issuance of a writ of Mandamus, to direct the third respondent to comply with the orders, dated 15.02.2017 and 27.02.2018, passed by the first and second respondents respectively by promoting the petitioners as



Assistant Engineers.

2. Heard Mr.C.Mayil Vahana Rajendran, learned counsel appearing for the petitioners, Mr.S.Angappan, learned Government Advocate, who takes notice for the respondents 1 and 2 and Mr.Prabhu Ramachandran, learned counsel, who takes notice for the third respondent. By consent, the Writ Petition is taken up for final disposal at the stage of admission itself.

3. According to the learned counsel for the petitioners, pursuant to the order passed in W.P(MD)No.18186 of 2016, dated 22.09.2016, the petitioners made representations to the respondents for the relief sought for therein and the same was duly referred in the communications, dated 15.02.2017 and 27.02.2018 by the respondents 1 and 2 respectively. However, till date, no order is forthcoming. Hence, the petitioners are before this Court.

4. The learned Government Advocate appearing for the respondents 1 and 2 and the learned counsel appearing for the third respondent submitted that the petitioners' claim would be taken into consideration on merits and appropriate orders be passed by the respondents within a time frame to be stipulated by this Court.

5. In view of the above, this Court, without going into the merits of the case, directs the third respondent to consider the claim of the petitioners in the light of the order passed by this Court in W.P(MD)No.18186 of 2016, dated 22.09.2016 as well as the communication of the first and second respondents, dated 15.02.2017 and 27.02.2018 respectively and pass appropriate orders, on merits and in accordance with law, after affording due opportunity of hearing to the petitioners, within a period of six 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 the Government,
State of Tamil Nadu,

Municipal Administration and Water Supply Department,
Secretariat, Chennai - 9.



2.The Commissioner of Municipal Administration,
Municipal Administration and Water Supply Department,
Chepauk, Chennai - 5.

3.The Commissioner,
Madurai Corporation,
Madurai.

+1 CC to M/s.R.PRABU RAMACHANDRAN, Advocate (SR-59777[F] dated
09/04/2019)

+1 CC to M/s.C.MAYIL VAHANA RAJENDRAN, Advocate (SR-59745[F]
dated 09/04/2019)

+1 CC to M/s.SPL GP (SR-60095[F] dated 10/04/2019)

PS

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