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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 06.03.2019

CORAM:

THE HONOURABLE MR.JUSTICE **R.MAHADEVAN**

WP (MD) No. 4466 of 2015

and

WMP (MD) No.1 of 2015

C.Selvakumar

... Petitioner

Vs.

1. The State of Tamil Nadu,
Represented by its Secretary to Government,
Rural Development Department,
Fort Saint George,
Chennai 09.

2. The District Collector,
Tirunelveli District,
Tirunelveli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying for issuance of a Writ of Mandamus to direct the 1st respondent to consider the petitioner's representation dated 30.09.2014 in the light of the G.O.M.S.No.120 Rural Development (E6) Department dated 29.8.2005 and consequently promote the petitioner to the post of Deputy Block Development Officer without insisting for service qualification retrospectively from the date on which the petitioner Juniors were promoted as Deputy Block Development Officer with all consequential benefits such as arrears of pay, re fixation of pay, seniority etc.,

For Petitioner : Mr.M.Saravanakumar

For Respondents : Mr.V.Anand,
Government Advocate

ORDER

This writ petition has been filed seeking a direction to the 1st respondent to consider the petitioner's representation dated 30.09.2014, in the light of G.O.Ms.No.120 Rural Development (E6) Department dated 29.8.2005 and consequently to promote him as Deputy Block Development Officer with all consequential benefits.

2.The grievance of the petitioner is that his juniors were given promotion, whereas his name was not considered by the respondents for promotion. In this connection, the petitioner made a representation on 30.09.2014. Due to non-consideration of the same by the respondents, the petitioner is before this Court.



3. Heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondents, who fairly submitted that the first respondent would consider the representation of the petitioner and pass orders, on merits and as per law, within a time frame to be stipulated by this Court.

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4. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side, this Court, without going into the merits of the case, directs the 1st respondent to consider the petitioner's representation dated 30.09.2014, on merits and in accordance with law and also in the light of G.O.Ms.No.120, Rural Development (E6) Department, dated 29.08.2005 and pass necessary orders, 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.

5. With the above direction, the writ petition is disposed of. No costs. Consequently, connected miscellaneous petition is closed.

sd/
Assistant Registrar

/True Copy/

Sub Assistant Registrar

To

1. The Secretary to Government,
Rural Development Department,
Fort Saint George,
Chennai 09.

2. The District Collector,
Tirunelveli District,
Tirunelveli.

+1 CC to Mr.M.SARAVANA KUMAR, Advocate (SR-52187[F] dated 07/03/2019)

+1 CC to SPECIAL GOVERNMENT PLEADER IN SR NO. (SR-52758[F] dated 08/03/2019)

dsk/rk/sml
AE/09.04.2019/2P/5C