



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30.07.2019

CORAM:

THE HONOURABLE MR. JUSTICE D. KRISHNAKUMAR

W.P (MD) .No. 16848 of 2019

and W.M.P. (MD) No. 13441 of 2019

WEB COPY

1. M. Annamalai

2. B.K. Ravikumar

... Petitioners

Vs.

1. The State represented by its
Secretary to Government,
Municipal Administration and
Water Supply Department,
Secretariat, Chennai - 9.

2. The Commissioner of Municipal Administration,
Ezhilagam, Chepauk, Chennai - 5.

3. The Commissioner,
Tiruchirappalli Municipal Corporation,
Tiruchirappalli.

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of a Writ of Mandamus, directing the respondents to consider the petitioner's representation, dated 09.08.2018 and to pass appropriate orders, within the time stipulated time by this Court and to promote the petitioners to the post of Technical Assistant and Junior Engineer in Trichirappalli Corporation as per the Tamil Nadu Municipal Corporations Engineering and Water Supply Service Rules, 1996, with all attendant and monetary benefits.

For Petitioner : Mr.M.Saravanakumar

For Respondents-1 & 2 : Mr. Aayiram Selvakumar

Additional Government Pleader

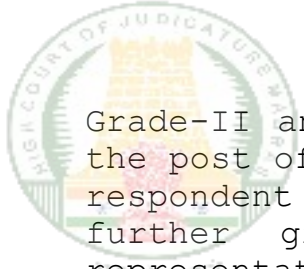
For Respondent-3 : Mr.N.S.Karthikeyan

Standing Counsel

O R D E R

This Writ Petition has been filed seeking for a direction to the respondents to consider the petitioner's representation, dated 09.08.2018 and pass appropriate orders, within the time stipulated by this Court and also sought promotion to the petitioners, as Technical Assistants and Junior Engineer in the third respondent/Corporation.

<https://hcservices.ecourts.gov.in/hcservices/> 2. The grievance of the petitioners is that these petitioners were initially appointed as Wireman in Tiruchirappalli Municipal Corporation and subsequently promoted as Skilled Assistant



Grade-II and though, they are fully qualified for the promotion to the post of Skilled Assistant Grade-I and Junior Engineer, the third respondent has not obtained any order of the Government. The further grievance of the petitioners is that they made a representation to the third respondent to send proposal to the first respondent for their promotion, but no order has been passed by the respondents. Hence, the instant writ petition is filed before this Court.

3. The learned counsel appearing for the petitioners would submit that the petitioners will be satisfied, if a direction is issued to the third respondent, to consider the representation of the petitioner.

4. The learned standing counsel appearing for the third respondent has submitted that the representation of the petitioners will be considered on merits, within a specified time that may be fixed by this Court.

5. Having regard to the limited scope of the prayer, this Court, without expressing any opinion on the merits of the petitioners case, directs the third respondent to consider the petitioners representation, dated 09.08.2018 on merits and in accordance with law and also directs to send a proposal to the respondents-1 & 2, within a period of Eight (8) Weeks, from the date of receipt of a copy of this order. It is made clear that, if the petitioners are not eligible for promotion, the same shall be communicated to the petitioners.

6. With the above directions, this Writ Petition is disposed of. No Costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar

// True Copy //

Sub Assistant Registrar(CS)

To

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

2. The Commissioner of Municipal Administration,
Ezhilagam,
Chepauk, Chennai - 5.



3. The Commissioner,
Tiruchirappalli Municipal Corporation,
Tiruchirappalli.

+1 CC to Mr.M.SARAVANA KUMAR, Advocate (SR-78781[F] dated
31/07/2019)

+1 CC to Mr.N.S.KARTHIKEYAN, Advocate (SR-78823[F] dated
31/07/2019)

+1 CC to SPL GP (SR-78860[F] dated 31/07/2019)

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30.07.2019

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