



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05.11.2019

CORAM:

THE HONOURABLE MS.JUSTICE V.M.VELUMANI

W.P. (MD) No.23254 of 2019

P.Kameswaran

... Petitioner

-Vs-

1.The State of Tamil Nadu
Represented by its Principal Secretary
Department of Home
Fort. St.George, Chennai

2.The Director of Prosecution
1st Floor, Slum Clearance Board
Kamarajar Salai, Chennai

... Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India for issuance of Writ of Mandamus, directing the first respondent to post the petitioner as Assistant Director of Prosecution, Ramanathapuram by considering the petitioner's representation dated 18.10.2019, in the light of G.O.Ms.No.603 (Courts VI Department), dated 10.07.2003, within a time that may be stipulated by this Court.

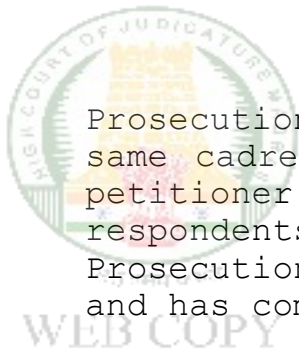
For Petitioner	: Mr.M.Mahaboob Athiff
	For M/s.Ajmal Associates
For Respondents	: Mr.S.Dhayalan
	Government Advocate

ORDER

The Writ petition has been filed for a direction to first respondent to post the petitioner as Assistant Director of Prosecution, Ramanathapuram, by considering the petitioner's representation dated 18.10.2019, in the light of G.O.Ms.No.603 (Courts VI Department), dated 10.07.2003, within a stipulated time to be fixed by this Court.

2. Mr.S.Dhayalan, learned Government Advocate takes notice on behalf of the respondents. By consent of parties, this Writ Petition is taken up for final disposal at the stage of admission itself.

3.The petitioner was appointed as an Additional Public Prosecutor-II in the year 1996 through the Tamil Nadu Public Service Commission. Now, he is working as Additional Public Prosecutor in the Court of Chief Judicial Magistrate, Dindigul, from July 2017. According to the petitioner, the post of Assistant Director of



Prosecution and the Additional Public Prosecutor are one and the same cadre. The petitioner is due to retire in the year 2021. The petitioner has given representation dated 18.10.2019 to the respondents to consider him to be posted as Assistant Director of Prosecution in Virudhunagar District or in Ramanathapuram District and has come up with the present Writ petition.

4.Though the learned counsel appearing for the petitioner has sought for larger relief, he submitted that it would suffice if a direction is issued to the first respondent to consider the representation of the petitioner, dated 18.10.2019 to post the petitioner as Assistant Director of Prosecution in Ramanathapuram District in the light of G.M.Ms.No.603, Home (Court) Department, dated 10.07.2003.

5.Considering the nature of relief sought for in the Writ petition and submission of the learned counsel for the petitioner, without deciding the issue on merits, the first respondent is directed to consider the representation of the petitioner, dated 18.10.2019 on merits and in the light of G.M.Ms.No.603, Home (Court) Department dated 10.07.2003 and pass orders, within a period of eight (8) 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(CO)

// True Copy //

Sub Assistant Registrar(CS)

msa

To

1.The Principal Secretary
State of Tamil Nadu, Department of Home
Fort. St.George, Chennai

2.The Director of Prosecution
1st Floor, Slum Clearance Board
Kamarajar Salai, Chennai

+2CC TO MR.AJMAL ASSO., Advocate Sr. No.96594 & 96313
+1CC TO THE SPECIAL GOVERNMENT PLEADER SR.No. 96357

W.P. (MD) No.23254 of 2019
05.11.2019

NS (CO)
TR(14.11.2019) 2P 6C