

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.11.2020

CORAM:

THE HONOURABLE MR.JUSTICE M.DHANDAPANI

Writ Petition No.10033 of 2013

&

MP.No.1 of 2013

A.Saravanan

... Petitioner

vs.

1. The Director of Town Panchayat,
Kuralagam Buildings, Chennai - 108.
2. The District Collector,
Tiruvannamalai,
Tiruvannamalai District.
3. The Executive Officer,
Chetpet Selection Grade Town Panchayat
Chetpet, Tiruvannamalai District.

... Respondents

Writ Petition filed under Article 226 of the Constitution of India praying for the issuance of a Writ of Mandamus, directing the 1 to 3 respondents particularly third respondent to consider the claim of the petitioner for appointment in the vacant post of Pipeline Fitter Grade - II from the date on which the said post was sanctioned in the third respondent's Town Panchayat with full benefits.

For Petitioner : Mr.P.I.Thirumoorthy

For R1&R2 : Mr.S.Thangavel, Spl.GP

For R3 : M/s.P.Sanjay Gandhi

ORDER

Petitioner has come up with this Writ Petition seeking a direction to the respondents 1 to 3 particularly third respondent, to consider the claim of the petitioner for appointment in the vacant post of Pipeline Fitter Grade - II from the date on which the said post was sanctioned in the third respondent's Town Panchayat and grant all benefits.

2. According to the Petitioner, he was appointed as a

Sweeper on consolidated pay by the proceedings of the third

respondent in Mu.Mu.No.611/97 dated 20.03.1998. Though he is entitled to be brought under regular time scale from the date on which he completed three years of service in the category of consolidated pay, he was brought under the regular time scale only with effect from 23.06.2006. Further, by order dated 31.03.2005, he was directed to hold the additional charge of fitter post and he has been continuing in the same capacity till date. While so, the Chetpet Selection Grade Town Panchayat has been sanctioned one post of Pipeline Fitter Grade -II and the said post is vacant for more than seven years. Since the petitioner has been discharging the regular duties of Pipeline fitter by way of additional charge and is fully qualified for the said post, his candidature was not considered. Now, the third respondent is going to fill up the said vacant post through direct recruitment from outside. Hence, the petitioner has approached this Court with this writ petition for the above stated relief.

3. However, the learned counsel for the Petitioner submitted that, the petitioner would be satisfied, if the representation dated 25.01.2013 made by him, is directed to be disposed of by the third respondent, within a time frame to be stipulated by this Court.

4. The learned counsel appearing for the respondents has no serious objection in granting such relief to the petitioner.

5. 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 third respondent, to consider the representation dated 25.01.2013 made by the Petitioner and pass appropriate orders on merits and in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order.

6. This Writ Petition is disposed of with the above direction. No costs. Consequently, connected miscellaneous petition is also closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Director of Town Panchayat,
<https://hcservices.ecourts.gov.in/hcservices/>
Kuralagam Buildings, Chennai - 108.

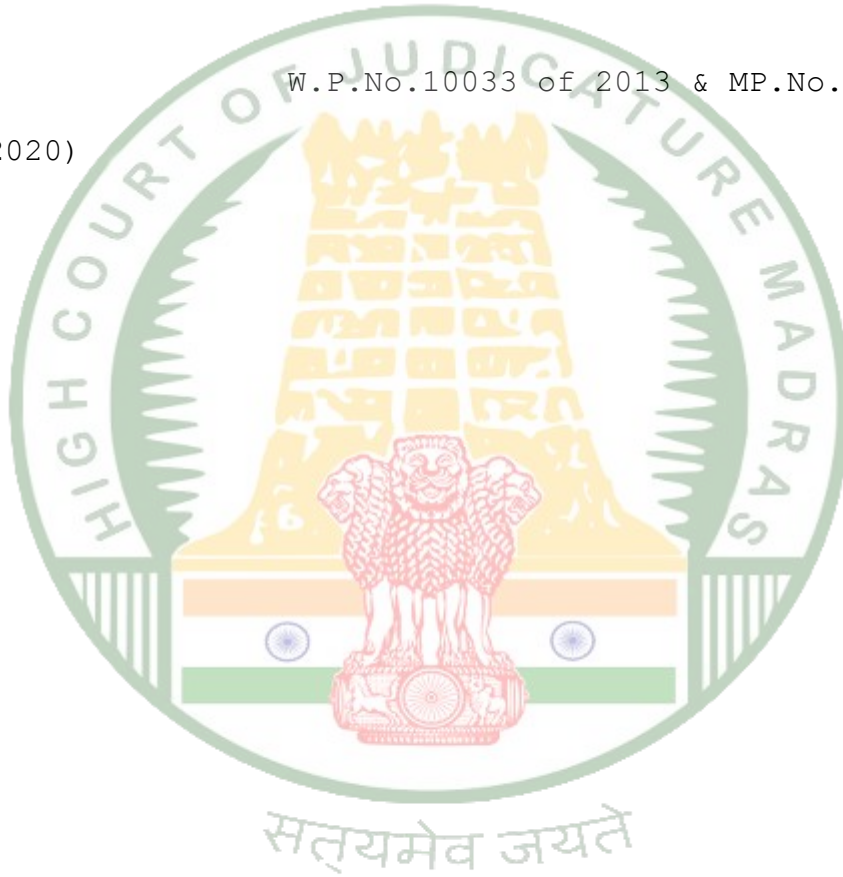
2. The District Collector,
Tiruvannamalai,
Tiruvannamalai District.

3. The Executive Officer,
Chetpet Selection Grade Town Panchayat
Chetpet, Tiruvannamalai District.

+lcc to Mr.P.I.Thirumoorthy, Advocate, S.R.No. 37123
+lcc to the Government Pleader, S.R.No. 37402

W.P.No.10033 of 2013 & MP.No.1 of 2013

SR(CO)
GN(22/12/2020)



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