

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.01.2020

CORAM

THE HON'BLE MR.JUSTICE N.ANAND VENKATESH

W.P.No.93 of 2020

L.Durai Raj

... Petitioner

vs

1.The Director,
Rural Development & Panchayat Raj,
Panagal Building,
Saidapet, Chennai-15.

2.The Secretary,
Rural Development & Panchayat Raj,
Secretariat,
St. George Fort,
Chennai 600 009.

3.The Collector,
Tiruvannamalai,
Tiruvannamalai District 606 604.

... Respondents

Prayer: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, directing the first respondent to consider the representation of the petitioner dated 12.10.2015.

For Petitioner :Mr.V.Raghavachari

For Respondents 1 & 2 :Mrs.Bhuvaneswari
Additional Government Pleader

For Respondent 3 :Mr.P.S.Sivashanmugasundaram
Special Government Pleader

O R D E R

This Writ Petition has been filed for the issuance of Writ of Mandamus directing the first respondent to consider the representation made by the petitioner on 12.10.2015 and pass orders within a time fixed by this Court.

2. The case of the petitioner is that he was initially appointed as Technical Assistant on temporary post in the year 1991 under the Rural Development and Panchayati Raj Scheme. Thereafter, during the period from 2006 to 2008, he was engaged under the Mahatma Gandhi National Rural Employment Scheme. The petitioner was also making representations to regularise his service. In the mean time, G.O.(Ms) No.70 dated 20.03.2000 was passed and a separate Engineering wing was formed in the Rural Development Department. A separate category of Senior Draughting Officer, Junior Engineer, Overseer and Road Inspector was also created and the qualifications of appointment was also prescribed.

3. It is the further case of the petitioner that a seniority list was also prepared and the name of the petitioner also found place at Serial No.274. Persons similarly placed were appointed as Road Inspector Grade II with age relaxation and the petitioner was not considered on the ground that he did not possess requisite qualification. The petitioner, thereafter, acquired requisite qualification and made representation to the respondents to appoint him as Road Inspector Grade II. The third respondent by his letter dated 07.08.2018 also informed the petitioner that the claim of the petitioner will be considered as and when the vacancy arises and at that point of time, the petitioner had applied towards the said vacancy. Since, there was no improvement in the status, the present Writ Petition has been filed before this Court seeking for appropriate directions.

4. Heard Mr.V.Raghavachari, learned counsel appearing on behalf of the petitioner, Mrs.Bhuvaneswari, Additional Government Pleader, appearing on behalf of first and second respondents and Mr.P.S.Sivashanmugasundaram, Special Government Pleader, appearing on behalf of third respondent.

5. Taking into consideration the facts and circumstances of the case and the limited relief that has been sought for in this Writ Petition, there shall be a direction to the first respondent to consider the representation made by the petitioner on 12.10.2015 and pass appropriate orders strictly in accordance with law, within a period of six weeks from the date of receipt of a copy of this order. The petitioner is directed to make a fresh representation to the first respondent along with a copy of the representation dated 12.10.2015 and a copy of this order.

6. This Writ Petition is disposed of with the above directions. No costs.

Sd/-
Assistant Registrar(J)

//True Copy//

Sub Assistant Registrar

bkn

To

- 1.The Director,
Rural Development & Panchayat Raj,
Panagal Building,
Saidapet, Chennai-15.
- 2.The Secretary,
Rural Development & Panchayat Raj,
Secretariat,
St. George Fort,
Chennai 600 009.
- 3.The Collector,
Tiruvannamalai.

+lcc to the Government Pleader Sr.1353, 1330
+lcc to Mr.V.Raghavachari, Advocate Sr.1071

सत्यमेव जयते

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srg 24/01/2020