

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2020

CORAM

THE HONOURABLE Mr.JUSTICE M.DHANDAPANI

WP.NO.24676 of 2013

and

M.P.No.1 of 2013

P.Palanisamy

... Petitioner

Vs

The Managing Director,
Tamil Nadu Water Supply & Drainage Board,
NO.31, Kamarajar Salai,
Chepauk,
Chennai 600 005.

...Respondent

Writ Petition under Article 226 of the Constitution of India praying for a Writ of Mandamus, directing the respondent herein to consider the petitioner's representation dated 07.03.2013, 27.05.2013, 21.06.2013 and 05.07.2013 and as the petitioner is retiring on 31.03.2014 so far the petitioner has been treated as Backward community without giving him the benefits of M.B.C. Community to which he belongs. Hence the petitioner pray for passing of appropriate orders in implementation of Rule 22 (Schedule III) of the Tamil Nadu State and Subordinate Service Rules by providing 20% of reservation to Most Backward Community/Denotified Community and to grant all consequential benefits to the petitioner herein.

For Petitioner : Mr.M.Ravi

For Respondent : M/S.S.Eraskine Leo

ORDER

It is the case of the petitioner that he was initially appointed as Trainee through Employment Exchange on 09.03.1977 and later was appointed as Draughtsman, Grade-III in the TWAD Board and the said post was re-designated as Junior Engineer Draughtsman,Gr-II in the year 1980 and subsequently, he was further promoted as Junior Engineer and as Assistant Executive Engineer. The grievance of the petitioner is that his name was considered as per G.O.Ms.NO.206, P & A.R. Dept., dated 07.07.1989, providing 20% reservation to MBC/denotified Communities, out of the then prevailing 50 % reservation to the Backward class candidates which was adopted by the Board and the

same was not informed to the petitioner. Consequently, may of his juniors have been promoted as Assistant Executive Engineers and included in the panel for the year 2010-2011 for promotion as Executive Engineer. In view of the panel for promotion drawn for the post of Assistant Executive Engineer the petitioner made several representations on various dates i.e., 07.03.2013, 27.05.2013, 21.06.2013 and 05.07.2013 to the respondent requesting to set right the anomaly and grant promotion, by applying Rule 22 of the General Rules for Tamil Nadu State and Subordinate Service r/w Regulation 8(c) of the TWAD Board Service Regulations 1972. Since no order has been passed on the said representations, the petitioner, left with no other option, approached this Court by filing this writ petition.

2. Though very many grounds have been raised in the writ petition, however, when the matter is taken up, learned counsel appearing for the petitioner submitted that it would be suffice if this Court directs the respondent to consider the representations made by the petitioner and pass orders within a particular time frame.

3. On the above contention, this Court heard the learned Counsel appearing for the respondent, who has no objections to such a direction being passed.

4. In view of the limited relief sought for, this Court without going into the merits of the issue, directs the petitioner to submit the copy of the last representation along with a copy of this order within a period of two weeks from the date of receipt of a copy of this order and on such representation being filed, the respondent is directed to consider the same and pass thereon in accordance with law within a period of three months thereafter.

5. With the above direction, this writ petition is disposed off. However, there shall be no order as to costs. Consequently, connected miscellaneous petition is closed.

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

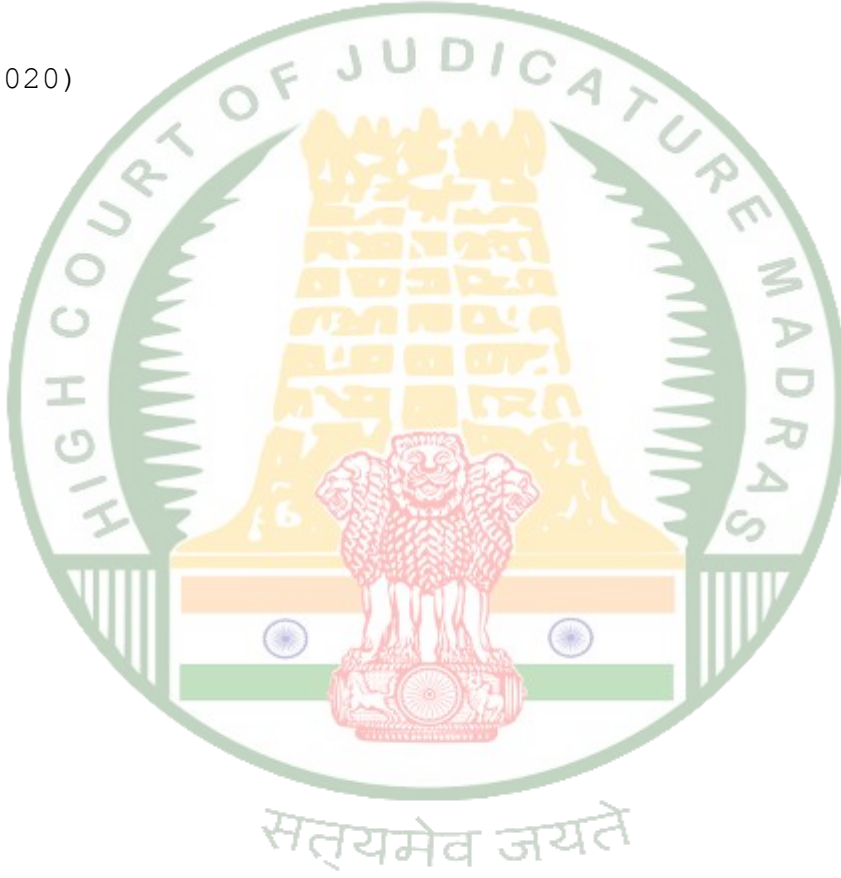
jrs

To

The Managing Director,
Tamil Nadu Water Supply & Drainage Board,
NO.31, Kamarajar Salai,
Chepauk, Chennai 600 005.

WP.NO.24676/2013

AD(CO)
SP(01/10/2020)



WEB COPY