

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATE : 07.10.2020

CORAM

THE HONOURABLE MR. JUSTICE M.DHANDAPANI

W.P. NO.27636 OF 2013

AND

M.P. NO. 1 OF 2013

P.Narayanan

.. Petitioner

- Vs -

1. The Chief Secretary to Government
Government of Tamil Nadu
Fort St. George, Secretariat
Chennai 600 009.

2. The Secretary to Government
Municipal Administration & Water
(M.E.1) Supply Department
Secretariat, Chennai 600 009.

3. The Secretary to Government
Personnel & Administrative
Reforms Department
Fort St. George, Secretariat
Chennai 600 009.

4. The Commissioner of
Municipal Administration
Ezhilagam Building, 6th Floor
Chepauk, Chennai 600 005.

5. M.Senthil Murugan,
Commissioner,
Viruthachalam Municipality,
Viruthachalam.

6.G.Ashok Kumar
Commissioner,
Kayalpattinam Municipality,
Kayalpattinam.

7.B.V. Surendra Sha
Commissioner
Poonamallee Municipality
Poonamallee.

8.N.Sankaran
Commissioner,
Kumarapalayam Municipality
Kumarapalayam.

9.M.Sundararajan
Under Secretary to Government,
Municipal Administration and water supply department,
fort st. George,
Secretariat,
Chennai-600 009.

10.R.Balaji
Deputy Secretary to Government,
Municipal Administration and water supply department,
fort st. George,
Secretariat,
Chennai-600 009.

11.M.Gnanasekar
Section Officer
Municipal Administration and water supply department,
fort st. George,
Secretariat,
Chennai-600 009. ... Respondents

Writ petition filed under Article 226 of the Constitution of India praying this Court to issue a writ of mandamus directing the 1st respondent to initiate disciplinary action against respondents 9 to 11 on the basis of the petitioner's representation submitted on 12.5.2011 and cancel the appointments of respondents 5 to 8 to the post of Municipal Commissioner, Grade-II made in G.O. Ms. No.186 dated 8.10.2008 and G.O. Ms. No.222 dated 29.9.2010.

For Petitioner : Mr. M.Gnanasekar

For Respondents: Mr. S.Thangavel, Spl. GP for RR-1 to 4
Mr. Muthukumaran T.K.S. for RR-5 to 8

ORDER

The present petition has been filed by the petitioner for a direction to the 1st respondent to initiate disciplinary action against respondents 9 to 11 on the basis of the petitioner's representation submitted on 12.5.2011 and cancel the appointments of respondents 5 to 8 to the post of Municipal Commissioner, Grade-II made in G.O. Ms. No.186 dated 8.10.2008 and G.O. Ms. No.222 dated 29.9.2010.

The facts of the case relates to grant of promotion to respondents 5 to 8 as they are not eligible for promotion and in that regard to initiate disciplinary action against respondents 9 to 11 on the basis of the representation filed by the petitioner. Though many grounds have been raised seeking larger relief, however, learned counsel for the petitioner restricted his prayer for a direction to the 1st respondent to consider his representation dated 12.5.2011 and pass orders thereon after giving opportunity to the petitioner as well as to the private respondents within a reasonable time frame.

Learned Special Government Pleader appearing for respondents 1 to 4 has no serious objection for this Court to pass such a direction.

In view of the limited relief sought for, this Court, without going into the merits of the issue, directs the 1st respondent to consider and pass orders, on the representation of the petitioner, dated 12.5.2011, in accordance with law after giving opportunity to the petitioner as well as the private respondents within a period of three months from the date of receipt of a copy of this order.

This writ petition is disposed of with the aforesaid direction. Consequently, connected miscellaneous petition is closed. There shall be no order as to costs.

Sd/-
Assistant Registrar

//True Copy//

Sub Assistant Registrar

GLN

To

1. The Chief Secretary to Government
Government of Tamil Nadu
Fort St. George, Secretariat
Chennai 600 009.
2. The Secretary to Government
Municipal Administration & Water
(M.E.1) Supply Department
Secretariat, Chennai 600 009.
3. The Secretary to Government
Personnel & Administrative
Reforms Department
Fort St. George, Secretariat
Chennai 600 009.
4. The Commissioner of
Municipal Administration
Ezhilagam Building, 6th Floor
Chepauk, Chennai 600 005.

+1 cc to M/s.M.Gnanasekar, Advocate Sr.No. 33093

+1 cc to The Government Pleader, Sr.No. 33287

BR(CO)
RMP(11/11/2020)

W.P. NO. 27636 OF 2013

सत्यमेव जयते

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