



WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.06.2020

CORAM:

THE HONOURABLE MR. JUSTICE C.V.KARTHIKEYAN

W.P (MD) NO. 6662 OF 2020

and

W.M.P (MD) No. 6011 of 2020

K.Palanivel

:Petitioner

.vs.

1.The State of Tamil Nadu,
represented by
The Principal Secretary to Government,
Municipal Administration and Water Supply Department,
Fort.St.George,
Chennai.

2.The District Collector,
Theni District.

3.The Assistant Director of Town Panchayat,
Theni District,
Theni.

4.The Executive Officer,
Kamayagoundanpatti,
Theni District.

: Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus directing the fourth respondent to consider the Petitioner's representation dated 18.3.2020 in the light of the Government Order in G.O.Ms.No.37, Municipal Administration and Water Supply Department, dated 1.2.2011 and promote the Petitioner as Driver in the fourth respondent Panchayat.

For Petitioner
For Respondents

:Mr.R.Balakrishnan
:Mr.M.Rajarajan
Govt.Advocate

O R D E R

This Writ Petition is filed seeking issuance of a Writ of Mandamus directing the fourth respondent to consider the Petitioner's representation dated 18.3.2020 in the light of the Government Order in G.O.Ms.No.37, Municipal Administration and Water Supply Department, dated 1.2.2011 and promote the Petitioner as Driver in the fourth respondent Panchayat.



2.Mr.M.Rajarajan, learned Government Advocate takes notice for the respondents. By consent of both parties, the Writ Petition is taken up for final disposal at the admission stage itself.

3.The Petitioner/K.Palanivel had filed the present Writ Petition in the nature of Mandamus seeking a direction to the fourth respondent/The Executive Officer, Kamayagoundanpatti, Theni District to consider the representation of the Petitioner, dated 18.3.2020 taking into consideration the Government Order in G.O.Ms.No.37, Municipal Administration and Water Supply Department, dated 1.2.2011 and grant promotion to the post of Driver in the third respondent/The Assistant Director of Town Panchayat, Theni District, Theni.

4.In the affidavit filed in support of the Writ Petition, the Petitioner had stated that he had joined the service as Sanitary Worker on 17.12.1998. He was a driver to the fourth respondent Selection Grade Town Panchayat on 12.10.2012. The Petitioner claims advantage of G.O.Ms. No.37, Municipal Administration and Water Supply Department, dated 1.2.2011 and claims that Sanitary workers who are holding valid driving licence for driving heavy vehicles are entitled to be promoted as Drivers by the Executive Officer of the fourth respondent/Town Panchayat. The Petitioner had given a representation, dated 18.3.2020, in this regard.

5.Heard Mr.M.Rajarajan, learned Government Advocate appearing for the respondents.

6.In view of the above facts, a mandamus is issued directing the fourth respondent to examine the representation of the Petitioner, dated 18.3.2020, afford him an opportunity of being heard and then if he is eligible and otherwise qualified and if he comes within the purview of G.O.Ms. No.37, Municipal Administration and Water Supply Department, dated 1.2.2011, pass orders on his representation on merits and in accordance with law. The entire exercise shall be completed on or before 31.7.2020.

7.With the above directions, the Writ Petition stands disposed of. No costs. Consequently, connected Miscellaneous Petition is closed.

Sd/-

Assistant Registrar (AD-II)

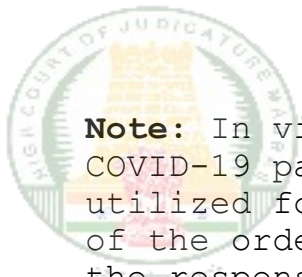
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Sub Assistant Registrar(CS)

vsn

<https://hcservices.ecourts.gov.in/hcservices/>



Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the Advocates/litigants concerned.

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Theni.

4.The Executive Officer,
Kamayagoundanpatti,
Theni District.

+1CC to Spl.Govt.Pleader, Madurai Bench Of Madras High Court.

ORDER MADE IN
W.P (MD) NO.6662 OF 2020
and
W.M.P (MD) No.6011 of 2020
12.06.2020

AP(18/06/2020) 3P 6C