



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **30.07.2020**

CORAM

THE HON'BLE MR.JUSTICE R.SURESH KUMAR

W.P. (MD)No.8351 of 2020

P.Kumaran

...Petitioner

-Vs-

The Commissioner,
Palani Municipality,
Palani.

...Respondent

Prayer: Writ Petition - filed under Article 226 of Constitution of India, to issue a Writ of Mandamus, directing the respondent to consider the representation submitted by the petitioner dated 03.01.2020 and to promote the petitioner to the post of Revenue Assistant in the existing vacancy with all consequential and other attendant benefits, within a time frame to be fixed by this Court.

For Petitioner : Mr.G.Sankaran
For Respondent : Mr.L.P.Maurya,
Standing Counsel

ORDER

The prayer sought for in this writ petition is for a Writ of Mandamus, directing the respondent to consider the representation submitted by the petitioner dated 03.01.2020 and to promote the petitioner to the post of Revenue Assistant in the existing vacancy with all consequential and other attendant benefits, within a time frame to be fixed by this Court.

2. The learned counsel appearing for the petitioner would submit that the petitioner was initially appointed as Office Assistant on 21.07.1995 at the respondent Municipality, thereafter, he was promoted as Record Clerk on 01.09.2014 and in that capacity he has been working all along. Now, he is 52 years of age and the next promotion for the petitioner is to the post of Assistant and according to the petitioner, two posts of Assistant are vacant at the respondent Municipality. Since only seven years service are left to the petitioner, he may be considered for giving promotion to the said post of Assistant in the respondent Municipality and in this regard, the petitioner has given a representation to the respondent Municipality on 03.01.2020, the same may be directed to be considered and if the representation is considered and decided on merits within a time frame to be stipulated by this Court, the petitioner would be satisfied.

3. The learned Standing Counsel appearing for the respondent would submit that the said request of the petitioner by way of



representation dated 03.01.2020 would be considered and decided on merits and in accordance with law, within a time frame to be stipulated by this Court.

4. I have heard the learned counsel appearing for the petitioner and the learned Standing counsel appearing for the respondent and I have perused the materials placed before this Court.

5. Considering the limited scope of the prayer sought for herein by the petitioner and by taking into account the submissions made by both parties, this Court is inclined to dispose of this writ petition, with the following direction:

"that the respondent is hereby directed to consider the representation of the petitioner, dated 03.01.2020 and decide the same on merits and in accordance with law, within a period of six weeks from the date of receipt of a copy of this order."

6. With this direction, the Writ Petition is disposed of. No costs.

Sd/-

Assistant Registrar (crl.side)

// True Copy //

/ /2020

Sub Assistant Registrar(CS)

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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 advocate/litigant concerned.

To

The Commissioner,
Palani Municipality,
Palani.

W.P. (MD)No.8351 of 2020
30.07.2020

KB(24.08.2020) 2P 2C