

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.04.2021

CORAM

THE HONOURABLE MR.JUSTICE M.GOVINDARAJ

W.P.NO.10717 OF 2021

P.Subramaniam

.. Petitioner

Versus

1. The District Collector
Salem District, Salem
2. The Block Development Officer(VP)
Mecheri Block, Salem District
3. The Panchayat President
Bukkampatty Panchayat
Salem District

.. Respondents

PRAYER: Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus directing the 2nd and 3rd respondents to receive the letter of joining in the duty and subsequently direct the 3rd respondent to pay the salary and allowances arrear from 06.10.2019 to till date pursuance of order passed by the 2nd respondent in Roc.No.61/2020/P2 dated 12.06.2020.

For Petitioner : Mr.M.Subash

For Respondents: Mr.P.V.Selvakumar,
Addl.Govt.Pleader for R1
MR.R.Govindasamy, Spl.Govt.Pleader
for R2 and 3

O R D E R

Petitioner was working as a Panchayat Secretary on reversion from the post of Junior Assistant under the 3rd respondent. Thereafter, he went on medical leave for the period between 07.08.2020 and 31.08.2020 and on the expiry of medical leave, he approached the 3rd respondent with a representation and he submitted the certificate of fitness issued by a authorised Medical Officer to join duty but the same was not acknowledged. The petitioner made several representations and no orders were passed. Aggrieved over the same, the petitioner is before this Court.

2. Mr.P.V.Selavakumar, Additional Government Pleader takes notice on behalf of the 1st respondent and Mr.R.Govindasamy, Special Government Pleader takes notice on behalf of the 2nd and 3rd respondents.

3. However, it is noted that his report was issued on 21.09.2020 and the same was not considered. Therefore, he made a complaint to the Commission for Schedule Castes and Schedule Tribe and also the 2nd respondent Block Development Officer, wherein he was directed to approach the 3rd respondent.

4. Considering the facts and circumstances of the case, the 3rd respondent is directed to consider the representation of the petitioner dated 21.09.2020 and pass appropriate orders on merits and in accordance with law within a period of six weeks from the date of receipt of the copy of this order. In case, the petitioner is still aggrieved, it is open to him to approach the appropriate Appellate authority rather than approaching this Court without exhausting the Appeal remedy.

With the above direction, the writ petition is disposed of.
No costs.

Sd/-
Assistant Registrar(CO)

//True Copy//

Sub Assistant Registrar

kpr

To

1. The District Collector
Salem District, Salem.
2. The Block Development Officer(VP)
Mecheri Block, Salem District.
3. The Panchayat President
Bukkampatty Panchayat, Salem District

+1cc to Mr.M.Subash, Advocate in Sr.No.26817
+1cc to Government Pleader, in Sr.No.26347

W.P.No.10717 of 2021

SVI (CO)
CS/28/06/2021