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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.07.2021

CORAM:

THE HONOURABLE Mr. JUSTICE S.S.SUNDAR

W.P. No. 14413 of 2021
and W.M.P. No.15316 of 2021

S.Hariharan

...Petitioner

Versus

1. The Government of Tamilnadu,
Rep. by its Secretary to Government,
Municipal Administration and Water Supply Department,
Fort St. George, Chennai - 600 009.
2. The Director of Municipal Administration,
No.75, Santhome High Road, 10th Floor,
R.A.Puram, Chennai - 600 028.
3. The Commissioner,
Vilupuram Municipality,
Vilupuram District.

...Respondents

Writ Petition filed under Article 226 of the Constitution of India, praying to issue a Writ of Mandamus directing the respondents to pass necessary orders on the recommendations of the third respondent in letter No.Na.Ka.No.3623/2019/C1 dated 13.05.2019 & 5/08/2019 addressed to the first and second respondent in line with Government orders in G.O.Ms.No.353, Municipal Administration and Water Supply Department (ME3 (1)) Department dated 10.06.2005 and consequently promote the petitioner to the post of Overseer by relaxing the service rules namely Tamilnadu Municipal Engineering and water service Rules 1970 and confer all other service benefits.

For Petitioner : Mr. V.Jayaprakash Narayanan
For Respondents : Mr. C.Kathiravan
Government Advocate

O R D E R

Mr. C.Kathiravan, learned Government Advocate, takes notice for the respondents. With the consent of both parties, this writ petition is taken up for final hearing at the admission stage itself.



2. Though the prayer sought in this writ petition is to issue a positive direction to the respondents, learned counsel appearing for the petitioner states that the petitioner will be satisfied if a direction is issued to the respondents to consider and pass orders on the petitioner's representation dated 09.05.2019, within a time stipulated by this Court. It is also stated by the learned counsel for the petitioner that the second respondent should consider the representation of the petitioner and that on the basis of recommendation of the second respondent, the first respondent may pass appropriate orders.

3. Having regard to the limited scope of prayer that is now sought before this Court by the learned counsel for the petitioner, without expressing any opinion on the merits of the petitioner's representation or the case pleaded before this Court, this writ petition is disposed of with a direction to the second respondent to consider the petitioner's representation dated 09.05.2019 and pass appropriate orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order, so that the first respondent may also pass suitable orders within a period of four weeks therefrom. No costs. Consequently, connected miscellaneous petition is closed.

s/d-
Assistant Registrar (CS VIII)

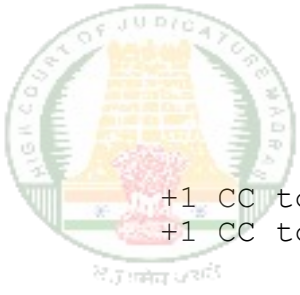
True Copy

Sub-Assistant Registrar

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To

1. The Secretary to Government,
Municipal Administration and Water Supply Department,
Fort St. George, Chennai - 600 009.
2. The Director of Municipal Administration,
No.75, Santhome High Road, 10th Floor,
R.A.Puram, Chennai - 600 028.
3. The Commissioner,
Vilupuram Municipality,
Vilupuram District.



+1 CC to M/s.V.Jayaprakash Narayanan, Advocate, SR 33122.
+1 CC to The Government Pleader, Sr 34027.

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PMK (CO)
LS (05/08/2021)