

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 25.01.2021
CORAM

THE HONOURABLE MR.JUSTICE R.MAHADEVAN

W.P.No.25747 of 2014
& M.P.No.1 of 2014

C.S.Nandagopal

... Petitioner

Vs.

1. The Director of Social Welfare,
Arunachalam Road, Chintadripet,
Chennai - 600 002.
 2. The Secretary to Government,
Social Welfare and Nutritious Meal Programme Department,
Secretariat, Chennai - 600 009.
 3. The Director of Treasuries and Accounts,
Panagal Maligai, Saidapet,
Chennai - 600 015.
- ... Respondents

Petition filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, to direct the second respondent to pass appropriate Orders on the proposal of the first respondent sent in Na.Ka.No.5454/Admin/(2)/2007 dated 23.10.2007 within a reasonable period as may be fixed by this Court.

For Petitioner : Mr.S.N.Ravichandran
for T.J.Lakshmiopathy

For Respondents : Mr.K.K.Ramesh, GA

ORDER

This writ petition has been filed by the petitioner seeking a Mandamus, to direct the second respondent to pass appropriate orders on the proposal of the first respondent in Na.Ka.No.5454/Admin(2)/2007 dated 23.10.2007 within a reasonable time to be fixed by this Court.

2.According to the learned counsel for the petitioner, the petitioner was initially appointed as Junior Assistant in the Directorate of Public Health and Preventive Medicine in the year 1971. Pursuant to the option called for by the Government, the

petitioner opted to work in the first respondent department and accordingly he was absorbed and posted as Assistant on 04.01.1982, but no inter-se seniority was fixed, due to which, the individuals, who were originally in the first respondent Department, were alone given promotion. Subsequently, a proposal was sent by the Secretary, Tamil Nadu Public Service Commission for fixing interse seniority among the persons, who were absorbed in the first respondent from various other Departments, vide letter No.10807/E4/1986 dated 28.01.1991 and orders were issued by the first respondent in Proceedings No.83748/Admin(2)/94 dated 08.10.1996, in which, the name of the petitioner was found at sl.no.183. However, one Dharmar, who was junior to the petitioner and whose name was found at sl.no.198 in the said seniority list order, was given promotion as Superintendent in the year 1984, whereas the petitioner was promoted as Superintendent only in the year 1991. Feeling aggrieved, the petitioner submitted representation dated 17.07.2006 to the first respondent requesting to fix his pay retrospectively on par with his junior with all monetary benefits, which was forwarded to the second respondent by the proceedings of the first respondent in Na.Ka.No.51461/Admin-2(3)/2007 dated 23.10.2007 and the same was not considered. In this regard, the petitioner made another representation dated 27.06.2013 to the second respondent, which was also not considered. Hence, this writ petition.

3.On the other hand, the learned Government Advocate appearing for the respondents fairly submitted that the second respondent would consider the claim of the petitioner and pass orders on merits within a reasonable time to be fixed by this Court.

4.In view of the above, this writ petition stands disposed of, directing the second respondent to consider the claim of the petitioner, if not already considered, and pass appropriate orders, on merits and in accordance with law and also in the light of the proposal submitted by the first respondent in Na.Ka.No.5146/Admin-2(3)/2007, dated 23.10.2007, within a period of six weeks from the date of receipt of a copy of this order. No costs. Consequently, connected miscellaneous petition is closed.

WEB COPY

Sd/-

Assistant Registrar(CS)

//True Copy//

Sub Assistant Registrar

vrc

To

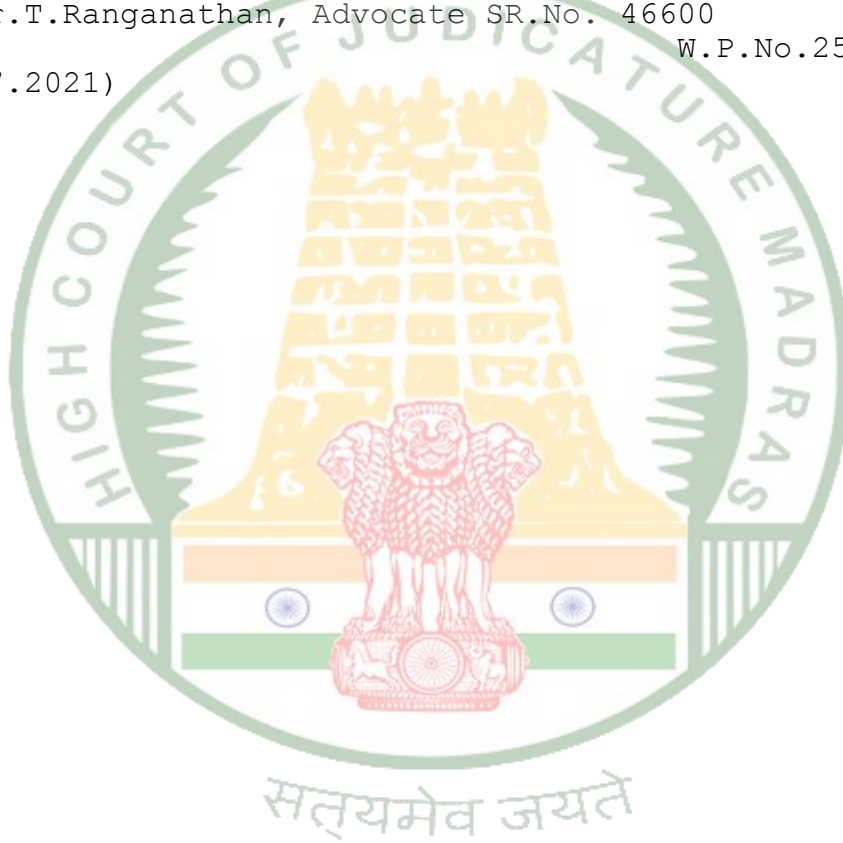
1. The Director of Social Welfare,
Arunachalam Road, Chintadripet,
Chennai - 600 002.
2. The Secretary to Government,
Social Welfare and Nutritious Meal Programme Department,
Secretariat, Chennai - 600 009.
3. The Director of Treasuries and Accounts,
Panagal Maligai, Saidapet, Chennai - 600 015.

+1 cc to Government Pleader Sr.No. 4201

+1cc to Mr.T.Ranganathan, Advocate SR.No. 46600

W.P.No.25747 of 2014

A.SK(05.07.2021)



WEB COPY