

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED 07.01.2021

CORAM :

THE HONOURABLE MR.JUSTICE S.VAIDYANATHAN

W.P.No.20143 of 2020

Thiru.P.Madhu

... Petitioner

Vs

1. The State of Tamil Nadu,
Represented by
Principal Secretary to Government,
Rural Development Department,
Fort St. George,
Chennai - 600 009.

2. The Director,
Rural Development Department,
Panagal Maligai, Saidapet,
Chennai - 600 015.

... Respondents

Prayer: Writ petition filed under Article 226 of the Constitution of India, praying to issue a writ of Mandamus, directing the respondents to consider and pass orders on the petitioner's representation dated 15.09.2020 by promoting him to the post of Executive Engineer with effect from 14.09.2009.

For Petitioner : Mr.Adithya Reddy

For Respondents : Mr.J.Pothiraj,
Special Government Pleader

O R D E R

This writ petition has been filed, seeking a direction to the respondents to consider the representation of the petitioner dated 15.09.2020 by promoting him to the post of Executive Engineer with effect from 14.09.2009.

2. The case of the petitioner is that while the petitioner is working as an Assistant Executive Engineer in the Rural development & Panchayat Raj Department, Thiruvannamalai, he was issued with two separate Charge memos dated 06.05.2007 and 10.09.2008 under Rule 17 B. Pendency of the same, he was not included in the panel for promotion to the post of Executive Engineer. It is also stated that since the petitioner has challenged the fixation of seniority in his cadre before this

Court, he has been subject to repeated disciplinary proceedings. However, as they will not affect the right of the petitioner to be included in the panel of the year 2009, he made a representation on 15.09.2020 to the respondents with regard to his promotion with effect from 2009. However, due to no response on the side of the respondents, the petitioner has come forward with this present writ petition.

3. Heard the learned counsel appearing on either side and perused the materials available on record.

4. In view of the limited prayer sought for by the petitioner and if the Petitioner's representation is pending with the authorities concerned and, not disposed of earlier, this Court directs the respondents to consider the representation of the petitioner dated 15.09.2020 and pass appropriate orders, in accordance with law, after affording an opportunity of hearing to all parties concerned, as expeditiously as possible, preferably within a period of three months from the date of receipt of a copy of this order.

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

-s/d-

Assistant Registrar

True Copy

Sub-Assistant Registrar

vum
To:

1. The Principal Secretary to Government,
Rural Development Department,
Fort St. George,
Chennai - 600 009.

2. The Director,
Rural Development Department,
Panagal Maligai, Saidapet,
Chennai - 600 015.

+1 CC to The Government Pleader sr 1113.

W.P.No.20143 of 2020

SV(CO)
SP(11/02/2021)